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POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

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4 April 1985

EAST EUROPE REPORT

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BULGARIA

ASPECTS, AGREEMENTS ON DUAL CITIZENSHIP EXAMINED

Sofia PRAVNA MISUL in Bulgarian No 6, 1984 pp 48-58

[Article by Dr Tsonyu Damyanov: "Eliminating Dual Citizenship in Accordance with International and Internal Bulgarian Law"]

[Text] The Concept of Citizenship

The concept of "citizenship" is understood as a special and long link between a person and a certain state, expressed in an aggregate of mutual rights and obligations.¹ These obligations are determined by a number of legal norms within that state. The link is a special one because it can exist only between a physical person and the state of which it is a citizen. It is a legal one because it contains rights and obligations which are binding on both parties. The country's rights and obligations are determined unilaterally by the state's internal legislation.

Citizenship is also of significance in the area of international personal rights. Certain of the rights and obligations contained in the given state's internal legislation do not apply to foreign citizens or stateless people. Basically they enjoy only ordinary rights. An example. A Greek citizen resident in Bulgaria can work there, receive a pension for his work record, possess property, study, make use of vacations, etc. But he cannot occupy a responsible position as a civil servant, vote or be elected; neither is he required to enter the ranks of the Bulgarian Army or participate in the defense of the country, etc.

The legal link is created and maintained on the basis of determined principles, and not on the basis of the factual situation, such as place of residence, nationality, race, religious creed, etc. Persons of a certain nationality can be citizens of various states. There are Bulgarians who are citizens of the Bulgarian People's Republic, but there are also Bulgarians who are citizens of the USSR, Romanian Socialist Republic, Socialist Federated Republic of Yugoslavia, Czechoslovak Socialist Republic, United States of America, etc. It is possible for citizens of various nationalities to be citizens of the same state. Switzerland presents a typical case: its citizens are Germans, Italians, and French; another is the USSR, whose citizens are Russians, Belorussians, Ukrainians, Estonians, Lithuanians, Georgians, Armenians, Uzbeks, etc.

Acquisition and Determination of Citizenship

Citizenship is acquired in two basic ways: a) primary (originaire) and b) secondary (acquire).² Primary citizenship is acquired by a citizen according to birth origin (jus sanguinis) or place of birth (jus soli). Secondary citizenship is acquired after the first (naturalization, marriage, legitimacy, etc.).

The basic principle is that each state, through its own legislation, determines itself which people are its citizens. This principle arises from state sovereignty. We find support for it in the Charter of the United Nations, Article 2, Point 7. Its extraction has come about because of the circumstance that no decree from this charter gives the United Nations the right to interfere in a state's internal affairs. This has been applied since the Hague Convention (HC) in certain questions regarding the conflict of laws concerning citizenship, as well as the legal practices of certain states.³ But no state can determine which persons are the citizens of another state.

Elements of Citizenship

Citizenship has three elements: a) the state which bestows citizenship, b) the person who acquires citizenship, and c) the link which is created between the state and the person.⁴ The state, which bestows citizenship, can either be acknowledged or not acknowledged. Its factual existence is sufficient. There have been periods in human history when certain people have been denied the rights of citizenship. An example is provided by slaves during the slave-owning period. There are people now who are deprived of their citizenship. Bulgarian citizens can also be deprived of their citizenship under the conditions of Article 20 of the Law on Citizenship in Bulgaria.

The Meaning of Citizenship

A person's citizenship has the same essential meaning for him as for the state where he is a citizen. In a structure with a foreign element in the subject in the field of international personal law, his personal law (lex personalis) is determined according to it, according to the sense of his patriotic law (lex patriae), or the sense of his law of residence (lex domicilii). Thus a certain law based on citizenship in most cases is applicable for deciding certain legal relationships or it (the conflicting norm) is determined by departure, return, or redeparture. In the Bulgarian People's Republic, for example, this helps to determine the abilities of the person, his ability to conclude a marriage, according to it a marriage can be considered invalid, a marriage can be dissolved through divorce, and a number of other legal relationships can be regularized, as well as juridical facts in the fields of personal, family, inheritance, labor, obligational, and other rights. Our conflict norm often uses the expressions "foreign citizen" or "foreigner" in relation to "Bulgarian citizen," etc. This is why, when there is a foreign element, one must know the citizenship of the parties. Only then can one explore and apply the proper law.

Statelessness (Apatids, Apolids)

Statelessness is a condition where a person is not a citizen of any state. The evaluation of this condition is carried out by the organs of the state where the person is located, based on the available evidence and its legislation. At times a certain convention may have significance. Bulgarian citizens can fall into statelessness by having their citizenship revoked (Article 20 of the Law on Citizenship in Bulgaria). A foreigner can find himself in this condition for many different reasons. A female foreigner, for example, by entering into a marriage with a male Bulgarian citizen, can become stateless if the marriage causes her to lose her citizenship. This attitude is accepted in the legislation of a number of states (Italy, Portugal, Spain, El Salvador, Lebanon, etc.)⁵

The question of statelessness has often been the subject of study and arrangements. Initiative has been developed in this regard by the United Nations, because it came up especially acutely after the First World War. The result of this initiative has been a number of international documents (protocols, conventions, etc.). The United Nations has even decreed, in Article 15 of the Universal Declaration on Human Rights that: 1. Every person has the right to citizenship; 2. No one can be capriciously deprived of his citizenship or his right to change his own citizenship.

Dual Citizenship (Bipolitism)

Dual citizenship is understood as a legal situation whereby one person is considered to be a citizen of two or more states. The basic reason for this is the difference in the legislation of the individual states.⁶ An example. According to Bulgarian legislation, a woman does not lose her citizenship by getting married, and there is no recognition of her eventual acquisition of foreign citizenship with this marriage if she is not first freed from her original Bulgarian citizenship. Such would be the case of a marriage between a Bulgarian woman and an Italian man. In this way she would have two citizenships. Dual citizenship could also result from emigration, the birth of a child by a foreigner in another state, etc.

Dual citizenship can be acquired consciously or unconsciously. It is conscious when a person willingly acquires a second citizenship, without being freed or without being able to be freed from the previous citizenship. But a conscious acquisition is not a frequent occurrence. The act is unconscious when the person, without seeking to, has simultaneously acquired one or more additional citizenships.

According to the laws of some states, a woman does not change her citizenship by marrying a foreigner (the socialist states, Denmark, Ireland, Norway, Turkey, Australia, Argentina, Bolivia, Ecuador, Canada, Colombia, Mexico, Sweden, Israel, the United States, Panama, Paraguay, El Salvador, etc.). This means that she does not lose her citizenship. Her native laws do not treat her as a foreigner. She continues to find herself under their protection, even when she is the spouse of a foreigner and she lives abroad.

According to the laws of other states, a foreign woman who has married a local man automatically acquires the citizenship of the state of her spouse (Afghanistan, Guinea, Greece, Iran, Italy, Jordan, Mali, Finland, Cambodia, the Netherlands, Switzerland, etc.). In other states she also acquires it, even if she has not rejected her original citizenship, but it is necessary to carry out certain formalities (Belgium, Polish People's Republic, France, Federal Republic of Germany, etc.). The method of acquiring citizenship and the way of handling the necessary formalities are different in the various states. For example, in France the foreign woman, before concluding a marriage, in a certain period must have declared that she does not want French citizenship, and in Belgium this refusal can be made up to 6 months after concluding the marriage, if a document from her previous homeland is produced. In the Polish People's Republic the foreign woman must announce, up to 3 months after the marriage, that she wished Polish citizenship, and she must produce in addition an assurance from her homeland that she is freed from that citizenship, and in the Federal Republic of Germany a foreign woman who has married one of its citizens only acquires the right to seek and receive the citizenship of that state.

In these cases just mentioned the woman, without seeking it, acquires dual citizenship. Abroad she can enjoy the protection of the two states: the Bulgarian People's Republic and the homeland of her spouse. This principle is covered in and was applied here according to the laws of Bulgarian citizenship from 1880 (Article 8), 1883 (Article 14), and 1904 (Article 10), creating inequality between husband and wife. The wife fell into a subordinate position with regard to her husband.

Regulations for Eliminating Dual Citizenship

The Bulgarian People's Republic has concluded agreements and conventions (protocols) with a number of states (the German Democratic Republic, the Polish People's Republic, the Romanian Socialist Republic, the USSR, the Hungarian People's Republic, and the Czechoslovak Socialist Republic), which contain ordinances for eliminating dual citizenship. In addition, to this there is a multilateral convention about the citizenship of the wife. Here is an overview of them.

a) The Convention on the Citizenship of a Married Woman. On 20 February 1957, there was signed a multilateral convention about the citizenship of a married woman (CCMW), which came into force on 11 August 1958. Included among the signatory states is Bulgaria (Bulletin No 37, 6 May 1960). This convention has ordinances according to which the conclusion or dissolution of a marriage between citizens of different states, as well as a husband changing his citizenship, do not automatically reflect on the citizenship of the wife.

This means that if a Bulgarian woman has concluded a marriage with a citizen of a state which has signed the CCMW, she remains a Bulgarian citizen. This ordinance remains valid when, according to the laws which apply to her husband, she must automatically acquire the citizenship of the

state where her husband is a citizen. The CCMW ordinance in this case diverts (stops) the application of domestic ordinances on this question in the respective state. But dual citizenship can exist if the state is not a signatory of the CCMW and according to its legislation the (foreign) woman married to its citizen automatically acquires its citizenship. An example. Italy is not a signatory to the CCMW and according to its legislation a foreign woman who marries one of its citizens automatically becomes an Italian citizen. In this case she would not lose her Bulgarian citizenship. Thus we see dual citizenship. A Bulgarian citizen in this case would have two citizenships, Bulgarian and Italian, if she were not freed from the first one. This is possible and desirable. In one of the two states it is possible to have the documents relating to citizenship in the first state transferred to the second, and eventually the passport is included, so that she cannot return to it. We have had such cases here.

b) Universal Declaration on Human Rights. On 10 December 1948 the General Assembly of the United Nations affirmed and announced the Universal Declaration on Human Rights. In this instance the ordinances in its Article 15 are of significance: "1. Each person has the right to citizenship. 2. No one can be capriciously deprived of his citizenship." It is clear from this text that each person can freely change his citizenship. In this way dual citizenship can be avoided.

An example. A Bulgarian woman has concluded a marriage with an Austrian man. Based on this, the Austrian authorities grant her Austrian citizenship, without freeing her from Bulgarian citizenship. In this instance the Bulgarian authorities may free her from Bulgarian citizenship. This applies as well in the case where a Bulgarian woman has concluded a marriage with a foreigner who is a citizen of a state which is not a signatory to the CCMW. She may also seek to be freed from Bulgarian citizenship and her request can be carried out.

Bilateral Conventions With the Bulgarian People's Republic for Eliminating Dual Citizenship

In order to avoid dual citizenship and the complications connected with it, the Bulgarian People's Republic has concluded bilateral conventions with the German Democratic Republic, the Polish People's Republic, the Romanian Socialist Republic, the USSR, the Hungarian People's Republic, and the Czechoslovak Socialist Republic.⁹ In relations with these countries, dual citizenship arises chiefly because of the birth of children of a mixed marriage, and according to the laws of the two states, the children are considered their citizens. In this case the *jus sanguinis* of the father and the mother applies. There is an agreement between the United States and Bulgaria on this question, but it will be examined separately.

Eliminating dual citizenship arises chiefly because of the children born of a mixed marriage, according to the conventions signed with the states mentioned above. This is carried out by choosing the citizenship of one of the parents. They can choose citizenship in one or the other of the

contracting states. If no choice has been made, the child remains a citizen of the contracting state of his place of residence.

The choice of citizenship is carried out by making a declaration (petition) to the respective authority. This choice can be made by children before reaching their majority (18 years). After this age, it is not permitted.

Agreement on Naturalization Between Bulgaria and the United States

An agreement on naturalization, signed in Sofia on 23 November 1923, and published in DURZHAVEN VESTNIK No 3, 1924, is in effect between the Bulgarian People's Republic and the United States. It eliminates dual citizenship, which would normally result from the naturalization of a citizen of one of the contracting states as a citizen of the second state. Citizenship by naturalization in this case is acquired only on the basis of a petition presented by the interested party.

By force of this agreement, we are obliged to consider that all Bulgarian citizens who have acquired or will acquire citizenship in the United States by naturalization lose their Bulgarian citizenship. The same applies to American citizens who have acquired or will acquire Bulgarian citizenship through naturalization. Minor children follow the citizenship of their naturalized parents.

A person naturalized as a citizen of a state cannot be prosecuted in the first state "for the original act of emigration or when before naturalization the citizen was not called to military service." The same applies in other similar cases.

This agreement eliminates dual citizenship, which would otherwise be a frequent phenomenon. It contains a legal norm, according to which citizenship is not acquired "by marriage." This means that if a Bulgarian woman has married an American man she does not acquire citizenship in the United States, and vice versa. The domestic regulation in this case has no significance.

The citizenship acquired by naturalization is no longer valid when the person again establishes permanent residence in the original homeland, without intending to return to the second country. This intention exists when the person spends more than 2 years in the second state. In this case it is felt that he has rejected the secondary citizenship acquired by naturalization.

Regulations with the Socialist Federated Republic of Yugoslavia

Bulgarian citizens who live in territories yielded by the Kingdom of Serbs, Croats, and Slovenes (Yugoslavia), according to the Neuilly Peace Agreement signed on 27 November 1919 and published in DURZHAVEN VESTNIK No 239, 1920, are divided into two groups: a) those people established as Bulgarian citizens before 1 January 1913 on the ceded territories; b) those established as Bulgarian citizens after that date. Bulgarian citizens in the

first group automatically lost their Bulgarian citizenship and automatically acquired citizenship in the Kingdom of Serbs, Croats, and Slovenes. Bulgarian citizens in the second group could acquire citizenship in the Kingdom of Serbs, Croats, and Slovenes only with its permission (Articles 39 and 40). In addition, a 2-year period was granted for Bulgarian citizens in the ceded territories up to age 18 to opt for Bulgarian citizenship or vice versa, and those established in Bulgarian territory, Serbs, Croats, and Slovenians, Bulgarian citizens, to opt for citizenship in the Kingdom of Serbs, Croats, and Slovenes. The husband's option included the wife, and the parents' option the minor children. With this regulation, dual citizenship was eliminated at one time for people connected with the ceded territories.

On 26 November 1923 the Final Protocol to the Convention on Return of Criminals between Bulgaria and the Kingdom of Serbs, Croats, and Slovenes was signed in Sofia and published in DURZHAVEN VESTNIK No 270, 1924. Article 6 of that protocol decrees that, unless the question of dual citizenship is resolved, the Kingdom of Serbs, Croats, and Slovenes would consider as its citizens all people who had emigrated to Bulgaria after the Bucharest Peace Treaty of 29 September 1913, and who had not entered public service there or sworn an oath to the Bulgarian state. Persons who had decisively emigrated to Bulgaria before that date were considered by the Kingdom of Serbs, Croats, and Slovenes to be Bulgarian citizens. In our view, this protocol did not eliminate dual citizenship, but rather increased it. It was the product of the mood after the First World War.

According to the Nish and Pirot Protocols, those persons in annexed areas of Serbia, on the territory of which they had resided until 1912, and those who settled in Bulgaria as Turkish citizens up to 1918 or who were considered Bulgarian citizens, could exercise their option.¹⁰ The protocol signed in Bled on 1 August 1947 offered the possibility for Bulgarians living in Yugoslavia and Yugoslav citizens living in Bulgaria to choose to seek citizenship from the contracting state where they were living. With mixed marriages, the husband could acquire the citizenship of his spouse, if he was living in her country. This question was decided only once.

We think that the question about eliminating dual citizenship between Bulgaria and Yugoslavia is still open and awaits its final resolution.

Regulations with Greece

The Neuilly Peace Agreement contained the same decrees on citizenship as those with Yugoslavia, so that there would be no repetition. In addition to this, Greece and Bulgaria signed a convention in Neuilly-sur-Seine on 27 November 1919 on the freedom of minorities to emigrate; this convention was ratified on 4 October 1920. Article 5 of this convention decrees that emigres lose the citizenship of the country they are leaving the moment they depart and acquire the citizenship of the country where they settle, as soon as they reach its territory. In our law about settlement of refugees and providing for their livelihood, published in DURZHAVEN VESTNIK

No 214, 21 December 1920, we consider as refugees all people of Bulgarian nationality on territory occupied by neighbors (Article 2).

Based on the decrees mentioned above, eventual dual citizenship is offered to persons who move from one country to the other. The action of the decree was effective only once. After it, and even now, it is possible to acquire dual citizenship. And here again we await the resolution of this question.

Regulations with Turkey

Dual citizenship is mentioned in the following agreements, made between Bulgaria and Turkey: 1) the Constantinople Agreement of 16/29 September 1913, ratified on 29 September/9 October 1913; 2) the Agreement on Amicability in regard to this agreement; 3) the Protocol for this agreement and the Convention for establishing it, signed in Ankara on 18 October 1925. These acts, chiefly the Constantinople Agreement and the Protocol, eliminate dual citizenship at one point. The Constantinople Agreement decrees that children born in territories ceded by Turkey to Bulgaria become Bulgarian citizens (Article 7). The same person, however, after a period of 4 years, has the right to opt for Turkish citizenship. Turkey, in accordance with the decrees of Point B of the protocol, recognized the Bulgarian citizenship of all people in the territory of Turkey, in its 1912 borders, who had moved to Bulgaria with the Protocol and had acquired Bulgarian citizenship according to Bulgarian laws. Bulgaria for its part recognized as Turkish citizens all Moslems born on the territory of Bulgaria within its 1912 borders, who had settled in Turkey before the Protocol was signed and had acquired Turkish citizenship. Wives and children up to age 18 in both cases took the citizenship of the husband and father.

This Protocol eliminated one time the dual citizenship acquired through naturalization. The Protocol does not apply to later cases. For our part elimination of dual citizenship for Turks who settle here is achieved through decrees of the previous Law on Bulgarian Citizenship (Article 6, Paragraph 2). A similar decree is contained in the current Law on Bulgarian Citizenship, Article 16, Paragraph 2.

Dual Citizenship of Bulgarian Citizens

A Bulgarian citizen can acquire or retain the already acquired foreign citizenship only after first being freed from Bulgarian citizenship (Article 16, Paragraph 1 of the Law on Bulgarian Citizenship). Up to that moment he will always be treated here as a Bulgarian citizen. The same is true for a foreigner who has acquired Bulgarian citizenship, but who has still not been freed from his previous citizenship. Such cases are possible. The Bulgarian People's Republic can grant Bulgarian citizenship to a foreigner whose parents were or are Bulgarian citizens, without him seeking to be freed from his foreign citizenship (Article 11 of the Law on Bulgarian Citizenship). The same is true for a Bulgarian who is a foreign citizen or is stateless, but lives in the Bulgarian People's Republic (Article 10 of the Law on Bulgarian Citizenship).

Dual Citizenship for a Foreigner

In the Bulgarian People's Republic a foreigner with dual citizenship is always treated as a person with a single citizenship. We cannot consider him simultaneously a citizen of two states. This would contradict the definition of his personal status, both in permitting him to enter the country and register with the organs of the People's Militia, as well as in a number of other cases. The same is true if he is established in the country by force of some legal relations or juridical facts.

The determination and acceptance of one of the two citizenships takes place at the proper authority in the country. This is carried out by taking the most convincing and acceptable evidence. Based on this, one or the other citizenship is selected. In order to determine one of the two citizenships, the following two different principles are accepted: a) the principle of effective citizenship, and b) the principle of the last acquired citizenship.

a) The principle of effective citizenship. This is understood as the citizenship of the state where the person usually exercises his civil and political rights (Article 3, Point 2 of the Statutes of the World Court, founded by the United Nations Charter, and Article 2 of the Statutes of the Commission on International Law at the United Nations).¹¹ According to the HC in 1930, this is the state where he has his place of residence or with which he is factually most closely linked (Article 2, second sentence). There is no difference between the two formulations, because each signifies the same factual situation. The principle of effective citizenship is supported by the World Court in the Hague, as well as by the legislation of a number of countries.¹²

This point of view established is acceptable. The only fundamental difficulty is in the fact that it is hard to determine the factual situation of the effective citizenship. But, on the other hand, resolution of the question cannot brook delay. The person's private status in certain cases must be established immediately (concluding a marriage, rights of adoption, establishment of paternity, seeking support, arranging for inheritance, etc.).

b) The principle of latest citizenship

This principle means that when a person has two or more citizenships, the other state treats him as a citizen of the state whose citizenship he acquired most recently. This principle is supported in the legislation of the Czechoslovak Law on International Private and Process Rights. Section 33, Paragraph 2 of this law says: "When a person at a certain time is a citizen of two or more foreign countries, the last acquired citizenship is decisive." The same principle is contained in Paragraph 51 of the previous Czechoslovak Law No 41 of 1943. Here the principle is acceptable, for the secondary citizenship is abandoned. The principle is acceptable for the secondarily acquired citizenship. An example. A Hungarian woman enters into marriage with an Italian man. She continues to be a Hungarian citizen, but at the same time, because of her marriage to the Italian, she

automatically acquires Italian citizenship. This woman continues to have two citizenships: Hungarian and Italian. According to this principle she must be treated as an Italian citizen. But the application is unacceptable with the initially acquired dual citizenship, since it happened simultaneously. And here there is no place for the recognition of only the last acquired citizenship. An example. A child born of a Hungarian citizen in London simultaneously has Hungarian and British citizenship. Here it is impossible to recognize the latest citizenship, because there is no such thing.

Consequences of Dual Citizenship

1. Dual citizenship creates or can create quarrels between states that simultaneously recognize a person as a citizen of that country. The quarrels can become especially acute when that person is found on the territory of one state or of a third state. In connection with such dual citizenships there arose in the last century sharp quarrels between the United States and Great Britain. The British authorities went so far as to forcibly remove sailors from American merchant ships, because they had been naturalized as American citizens without first being freed from their British citizenship, and they were sent to the barracks to serve out their military service. Similar arguments arose in the 1860's between Prussia and the United States.

Such quarrels can get started with third states, which do not consider the person a citizen there. Typical is the case between Liechtenstein and Guatemala, in regard to the citizenship of Notebom, because of whom the World Court in the Hague made a decision on 6 April 1955. The person Notebom had from time to time moved between Germany and Liechtenstein, where he had a brother. In 1939 he acquired citizenship in Liechtenstein under simplified conditions, but he kept his place of residence in Guatemala. In 1943, when war was declared between Germany and Guatemala, the latter detained Notebom, sent him to a camp, and confiscated his possessions. The reason for this was the fact that Guatemala considered him a citizen of Germany and did not recognize his citizenship in Liechtenstein. Because of this there arose a case at the world Court between Liechtenstein, which defended Notebom's interests, and Guatemala, and the result favored the latter.

Because of such cases, there is a possibility of quarrels arising between states, due to the existence of dual citizenship.

2. Under dual citizenship, serving out military service in one country does not free the person from serving the same in the second state, where he is also a citizen. In order to eliminate these difficulties, Article 1 of the Hague Protocol decrees in regard to military obligations: "A person who has citizenship in two or more countries, when he lives in the territory of one country and is actually linked to that country, will be freed of all military obligations in all other countries." This protocol, however, is in force in few states.¹³ Because of this the point of view covered in it does not make up the universally obligatory legal norm in

international law. The Bulgarian People's Republic is not a signatory to this protocol.

Every citizen is obliged to be loyal to his homeland. A person with dual citizenship serving in the army of one of the two states when they are at war can be considered treason in the second state. This is always linked with difficult personal and property consequences for the person, especially if he is taken prisoner or has property in the other state. There were such cases during the First World War. Such people, as prisoners, were made answerable to military courts.

Article 8, Paragraph 3 of the Italian Law on Citizenship decrees that the loss of Italian citizenship does not free a person from obligations to serve in the military, with the exception of special laws designed to ease the situation. In 1914 Italy applied these decrees to Italians who were naturalized Americans and who found themselves temporarily in Italy. It also adopted the practice of detaining wives and children of Italians naturalized in the United States, in order to force them to return to Italy. All of this evoked many protests from the United States. Italy finally retreated under pressure from the United States.¹⁴ The current Law on Bulgarian Citizenship decrees that persons can be freed from Bulgarian citizenship "who have arranged for or have taken care of their obligations to the state, state enterprises, cooperative and other social organizations, as well as their obligations which arise from impermissible damages or the obligations of their maintenance (Article 17, Paragraph 1 of the Law on Bulgarian Citizenship). According to this interpretation, we can say that the question of military service is applicable here.

The question of military obligations has been taken care of in certain places by bilateral agreements, chiefly those concluded by the United States with Bulgaria, the Czechoslovak Socialist Republic, etc.

3. A person with dual citizenship, when he is located in the territory of one of the states, which considers him its citizen, cannot plead against it because of citizenship in another state. His pleading must eventually be without result. An example. A Bulgarian citizen who has acquired French citizenship without fulfilling the conditions of Article 1, Paragraph 1 of the Law on Bulgarian Citizenship cannot rely here on his French citizenship. This principle has been shown in practice. There was such a case in Bulgaria.

Every state of which a person with dual citizenship is a citizen considers him its citizen if he has this citizenship. This principle is supported in doctrine and practice. We find it in Article 3 of the Hague Convention in 1930. For any state to retreat from it would mean rejecting its own sovereignty. When the person is on its territory, it can deal with him as it does with every other one of its citizens, without being caught up in protests put forth by him or the other state, which also considers him its citizen.

The state of which he is also a citizen cannot give him diplomatic protection against the first state, of which he is a citizen. This is especially applicable when the person is on the territory of one of the two states. This principle is founded in Article 4 of the Hague Convention. Based on it, states cannot quarrel about their rights over a certain person when each of them considers him its citizen.¹⁵ Eventual quarreling can never have any result. The principle is: the state where the person is located has the primary claim. A third state can recognize the person with dual citizenship as having only one of the citizenships. The same principle is covered in Article 5 of the Hague Convention. This is necessary in terms of referring to his personal status. For a foreign person with dual citizenship, who for example wants to marry here, the material conditions for this goal will be determined according to his effective citizenship. The same is applicable for his field of activity, etc. In other states this question might be dealt with in other ways. Such a different regulation would apply in the Czechoslovak Socialist Republic, etc.

The third state can expel from its territory a person with dual citizenship, remove him to the other state, to the one he wishes. It can expel him to another state if the latter agrees to accept him. The person cannot and has no right to require that a certain state be betrayed.

4. Dual citizenship is of significance in almost all fields of international personal law, when the applicable law must be determined for property, inheritance, sale of goods, etc. This is why it is necessary to avoid the situation. Every country which makes it available in one way or another must take the necessary steps to eliminate one of the citizenships. And the respective country must for its part relinquish it. This is the correct way.

FOOTNOTES

1. See P. Staynov and A. S. Angelov, "Administrativno Pravo na NRB, Obshta Chast" [Bulgarian Administrative Law, General Section], Sofia, 1957, p 84; M. Genkovski, "Osnovi na Mezhdunarodnoto Pravo" [Foundations of International Law], Sofia, 1966, p 145; Doc Dr Miroslav Potocny, "Mezinarodni Pravo Verejne," Prague, 1978, pp 185-186.
2. Marsel Sibert. "Traite de Droit International Public" [Treatise on International Public Law], Vol 1, Paris, 1951, p 535.
3. Article 2, Point 7 of the charter says: "No decree in the charter gives the United Nations Organization the right to interfere in matters which are essentially internal to a state, neither does it require the members to present such questions for settlement in accordance with the charter; this principle, however, does not affect the application of necessary measures, foreseen in Chapter 7."
4. See Paul Lerebours-Pigoniers, "Droit International Prive" [International Private Law], Paris, 1962, pp 72-79.

5. J. Cerny, V. Cervenka, "Statni Obcanstvi CSSR," Prague, 1963, pp 23-25.
6. S. B. Chernichenko, "Mezhdunarodnye Voprosy Grazhdanstva" [International Questions of Citizenship], Moscow, 1961, p 100.
7. Sixty states had signed this convention by 31 December 1981.
8. Article 1 of the CCMW says: "Each contracting state agrees that neither entering a marriage nor dissolving one between a female citizen of the state and a foreign man, nor a change in the husband's citizenship during the time of the marital union, should reflect on the citizenship of the wife."
9. In the Bulgarian People's Republic the conventions were published as follows: with the GDR, in DURZHAVEN VESTNIK No 39, 19 May 1972; with Poland, in DURZHAVEN VESTNIK No 78, 3 October 1976; with Romania, in Bulletin No 17, 26 February 1960; with the USSR, in Bulletin No 33, 25 April 1958 and in DURZHAVEN VESTNIK No 2, 6 January 1967, and in the Protocol of 6 July 1966; with Hungary, in Bulletin No 81, 9 October 1959; and with Czechoslovakia, in DURZHAVEN VESTNIK No 46, 17 June 1975.
10. See Milan Bartosh, "Medjunarodno Javno Pravo" [International Evidential Law], Book 1, Belgrade, 1954, p 335.
11. F. K. Kozhevnikov, "Mezhdunarodnoe Pravo" [International Law], Moscow, 1964, p 279.
12. Some texts: a) Article 2. Paragraph 2 of the World Court Statutes: "A person, with a view toward participating in a trial, and who is considered a citizen of more than one state, is considered a citizen of the state where he usually exercises his civil and political rights."
b) Greece, Article 31, Paragraph 2 of the Civil Procedure Code, 1934: "When a person has some foreign citizenships, the law of the state with which he is most closely linked is applied."
c) Algeria, Article 22, Paragraph 1, from the SS: "In the case of multiple citizenships, the court applies the effective citizenship,"
13. Ch. Ch. Hyde, "Mezhdunarodnoe Pravo kak Ponimanie i Primenenie v Soedinennykh Shtatakh Ameriki" [International Law as a Concept and Application in the United States of America], trans. from English, Moscow, 1951, pp 490-491.
14. Ibid.
15. Ju. Oppenheim, "Mezhdunarodnoe Pravo" [International Law], trans. from English, Vol 1, first half-volume, Moscow, 1949, pp 230-231.

12334

CSO: 2200/123

BULGARIA

INTELLECTUAL DESCRIBES PERSONAL PLIGHT DUE TO HOUSING SHORTAGE

Sofia LITERATURE FRONT in Bulgarian 14 Feb 85 p 6

[Article by Nadezhda Dragova: "These Dark Windows. . ."]

[Text] Reference: "Neighbors Willy-Nilly" by Petur Raykov: "The editors of the newspaper have received a letter from the deputy state prosecutor in Burgas, Petur Raykov: 'I have tried to tell about a murder, for which the accused was condemned to death and the sentence confirmed by the Supreme Court of the Bulgarian People's Republic and the State Council and recently carried out. I do not know whether it is possible to tell about such a case on the pages where[5-6 lines illegible].'"

What I am writing is not artistic hyperbole nor is it a loud cry for an audience.

The scale is 1:1.

The drama enacted in Burgas is not exceptional. In this form, yes. But essentially it is a warning of disaster. For the time being I am a victim. I say "for the time being," for I cannot guarantee that tomorrow I will not begin to commit murder.

A week ago I met on the street the party secretary of my institute in a distressed state. "What has happened to your grandchildren?" "They are sick in the hospital with pneumonia." "What happened?" "Nothing, it was from the dampness."

What had happened was that 6 years ago her daughter married impetuously for love. They rented some half put-together room--their energy had lasted out to that extent (the landlords gave the lovers no reduction in the rent). The very first month the roof leaked. And my colleague--the mother--wryly told us with a smile, "My madcaps will be in luck for water!" Later two little girls were born. They were brought up in the same place--they were in luck for water, too! They are included [vklyuchen] in the housing unit. Although this administrative term contains the word "key" [klyuch], "inclusion" [vklyuchvane] means something quite different from receiving a key. The

kiddies--one is three, the other five--are waiting now, between the day nursery and the hospital, for the key. It is going to be given them in the same complex, newly under construction, where I have taken an apartment with decontrolled rent.

A second case now involving me: for 5 years I worked outside Sofia. I returned and took an apartment with decontrolled rent in the Khadzhi Dimitur housing complex, newly under construction and newly constructed. My daughter and I live in two rooms and a kitchen. She graduated a year ago from the Art Academy and is now in her first year as a high-school esthetic-education teacher. I pay two-thirds of my salary for rent. With one-third I support my other daughter, who is a student, and myself and assist my mother, who is a pensioner. But this was a way out for us. We accepted it voluntarily. We even rejoiced. We set to work. I arranged our library in one room. My daughter put up her painter's easel in the other. We would work! What of the fact that we were homeless. The important thing was to make a go of it! But we were out of luck!

It turned out that up to the third floor and on the third floor where we lived, we were the only people. The other apartments were locked up. The water in one of these burst. It drenched all the housing units (locked up and untenanted) down to and including the cellar (and me inordinately, as my Rabelais reminds me). Waking and sleeping, I heard water flowing beneath us in such vast quantity it was exactly like the Boyanski Waterfall. I rang the fire department. "We are not responsible for leaks!" ("Leak" is what was said!) I finally found out who was responsible from Zhilfond [State Real Estate Management Administration]. After 10 days they came and stopped the water. After this, all the apartments below us, including the cellars, froze. The result was a three-story ice-box, well stocked with ice. within which we were the two sole living persons, hemmed in by panels. Two persons, more dead than alive, could not thaw three stories of ice at minus 17°. We heated with electricity. No matter so long as we were alive and well--we would get through the winter. The bill for electricity amounted to 110 leva per month.

But this time Marx was right--a person becomes aware of great truths when his pocket is picked.

And all at once I realized that these empty apartments--locked up and concealed from the needy public, my sole fellow tenants--were killing me. I lost sleep and composure! I set off with new energy (I had been doing this once a month for 5 years) to the Committee on Culture where we have submitted all official letters with an application for an apartment and always got the answer that there are no housing units.

With the last illusion that I was bringing some shrouded secret to somebody's knowledge, I made the rounds of new, ever more directly responsible authorities. There are no housing units! Period!

The answer was just as positive in both Burgas and in Khaskovo--while the knives bore down on completely innocent targets.

I went around to acquaintances in the complexes. "Are there any unoccupied units in your project?" "Yes, of course there are."

At this point the mystery, i.e., the darkness, came into play. In the new complexes the electricity goes off every half hour. The electricity went off and while waiting for its illumination I glue myself to the window. At once the three-story ice-box in which I am hemmed penetrates me. I am penetrated even more painfully by the coldness of this outrageous treatment--concealing and locking up housing units when people have a need for human and familial warmth. The electricity comes on and I no longer consider the matter but count the apartments in the complex which never light up. And I made a diagram. Every evening I check it. I return from the theater (this is my profession) and for the first time in 30 years instead of thinking about the performance I count the dark windows in the complex. I count as far as my field of vision extends--58 in some 10 inhabited residential blocks. (The remaining blocks are finished but unoccupied.) I climb the stairs between them every day. And there are still newborn babies who will be in luck "for water" and pneumonia.

I felt sick. Here I go to work for 20 days of the month to pay my decontrolled rent, and my daughter, a young specialist, teaches esthetic education for 20 days to pay for the electricity. You will retort, "But you are not working for money, but for society." That is the very question: What are we working for, if you please? To put up with locked-up houses, to pretend to be blind and maintain that they do not exist?

6474

CSO: 2200/121

BULGARIA

BIOGRAPHY OF PATRIARCH MAKSIM

Sofia RODOLYUBIE in Bulgarian No 1, Jan 85 pp 32-33

[Article by Lazar Petrov: "The Bulgarian Patriarch Maksim"]

[Text] We often see him, this white-haired and noble prelate, dressed either in strict robes or wearing the white veil of the patriarch. We see him in church or at various cultural and social events. We also see him on the 24th of May, the joyous and popular holiday of the brothers Cyril and Methodius, with our state leaders and education and culture personalities. Foreigners attending these events invariably ask who he is. The answer is: "The Bulgarian Patriarch Maksim."

The head of the Bulgarian Orthodox Church or, as one says in church language, its Superior, His Holiness the Bulgarian Patriarch Maksim (Marin Naydenov Minkov), was 70 years old on 29 October 1984. On that occasion, the State Council of the Bulgarian People's Republic declared him with the "13 Centuries of Bulgaria" order, Bulgaria's highest decoration. He was awarded this high distinction for his many years of church, patriotic and social activities in defence of peace, and for his services to the Bulgarian People's Republic.

The young man, born in Oreshak village, in the bustling Troyan region of Lovech Okrug, has come a long way from a poor, religious peasant family to the patriarchial throne of the Bulgarian Orthodox Church.

Young Marin completed his primary education in his native village. In 1929 he entered the Sofia Theological College, from which he graduated as an outstanding student. In 1938 the young theologian engaged himself for 2 years of practical work as a functionary and choir member at the Ruse episcopal see. After that he entered the Faculty of the Theology of Sofia University, from which he graduated in 1942.

In 1941 the student Marin took his vows under the name of Maksim. Upon completing his higher education, the young monk was appointed bishop's deacon and preacher in Lovech. In the same year he attained the rank of "Yeromonakh" and became a teacher of pastoral theology at the Sofia Theological College.

In 1947, Yeromonakh Maksim was elevated to the rank of archimandrite and appointed coadjutor to the bishop of Ruse.

In 1950, Archimandrite Maksim was given the important assignment of representative of the Bulgarian Orthodox Church with the Russian Patriarchate in Moscow. He worked assiduously to broaden the fraternal collaboration between the Bulgarian and Russian Orthodox Churches. Archimandrite Maksim spent 6 years in Moscow, keeping in close contact with the rich Russian and Soviet literatures and the heritage of the great theologians of the Russian Orthodox Church.

Following his return to Bulgaria, Archimandrite Maksim was appointed to the responsible post of secretary general of the Holy Synod of the Bulgarian Orthodox Church. He combined his administrative functions and priestly work with the chairmanship of the editing collegium of the synodal press--the paper TSURKOVEN VESTNIK and the magazine DUKHOVNA KULTURA--and contributed largely to the enrichment of their contents. At the end of 1956, Archimandrite Maksim was elevated to the rank of bishop for high ecclesiastical qualities.

In 1960 there was a vacancy in the Lovech diocese, and Bishop Maksim was elected to this post. He retained with distinction this high church post for 11 years.

In his capacity as first secretary of the Synod and bishop of Lovech, Bishop Maksim actively participated in the peace-loving activities of the Bulgarian Orthodox Church in our country as well as abroad at numerous international church-sponsored forums. He actively participated in the founding and the subsequent activities of the Christian Peace Conference.

When Bulgarian Patriarch Kiril died in July 1971, Lovech Bishop Maksim was elected patriarch of the Bulgarian Orthodox Church. In this capacity, according to the statutes of the church, he also served as bishop of Sofia.

The services rendered by Patriarch Maksim to the Bulgarian Orthodox Church and the Bulgarian People's Republic are numerous. Let us mention some of them, especially those of interest to our countrymen living abroad.

Patriarch Maksim has contributed greatly to the development of the activity and strengthening of the Bulgarian church parishes abroad. Under his leadership, the Holy Synod of the Bulgarian Orthodox Church has worked successfully to unite faithful Bulgarians living abroad within Bulgarian church parishes where they could satisfy their religious feelings, needs and aspirations and, at the same time, keep alive their Bulgarian spirit, their bonds with the homeland and their national traditions. The Bulgarian church parishes in the United States, Canada and Australia and their two dioceses--the one in New York, headed by the High Right Reverend Bishop Yosif, and the one in Akron, headed by the Right Reverend Bishop Yosif, and the Bishop's Vicarage in Canada, which comes under the direct tutelage of the Holy Synod--are objects of his constant attention.

The Holy Synod of the Bulgarian Orthodox Church, under the leadership of Patriarch Maksim, takes a special interest in the churches of the European continent. In addition to the already existing Bulgarian church parishes in Istanbul, Bucharest, Budapest and Vienna, new Bulgarian church parishes have

been established in the past years in other European cities, such as Paris, Brussels, Stockholm, Munich and London. A vicarial bishop for Western Europe (the Right Reverend Bishop Simeon) was appointed to direct the work of the Bulgarian parish priests.

His Holiness Patriarch Maksim established a Foreign Affairs Department at the Bulgarian Patriarchate which assists the Holy Synod and the patriarch in carrying out their important socio-ecclesiastical work and making a contribution to peace inside and outside the country.

The participation of His Holiness, the Bulgarian Patriarch Maksim, in the struggle for peace and avoiding nuclear catastrophe is an important element of his pastoral and patriotic activity. We mentioned earlier that the orthodox prelate Maksim, even before he became a patriarch, took an active part in the work and the various activities of the Christian Peace Conference, and he continues to this day to support its humanitarian role. The Bulgarian Patriarch Maksim is a member of the World Peace Council, deputy chairman of the Bulgarian National Committee for Peace, and a member of the Committee for Security and Cooperation in Europe.

He was decorated by UN Secretary General Javier Perez de Cuellar with the UN Peace Order, a meritorious order of the world organization. Patriarch Maksim fights for the cause of peace in speeches, lectures, articles and joint declarations with other church leaders. He sets a personal example for the leaders of the Bulgarian Orthodox Church and the leaders of other denominations by demonstrating that the highest duty of all people in the world is to save humanity from the horrors of war and nuclear death.

The publishing house of the Holy Synod already has issued two volumes of "On God's Field" by Patriarch Maksim, and a third volume is in preparation. He is an honorary doctor of the Kliment Okhridski Theological Academy and of the Moscow Theological Academy.

A brief look at the long history of the Bulgarian Orthodox Church reveals an unmistakable national trend which has been illustrated throughout the various periods of its existence by remarkable protagonists. Let us recall the role of the Bulgarian Orthodox Church, and especially the role of the monasteries, in safeguarding Bulgarian literature and our people's national awareness under the two heavy yokes: Byzantine and Turkish. The memory of such religious leaders as Patriarch Evtimiy, Sofroniy of Vratsa, Exarch Yosif and, closer to our days, the late Patriarch Kiril, shines brightly. The Bulgarian Orthodox Church under Patriarch Maksim follows the same path: to walk together with the people. In these creative times, the Bulgarian Orthodox Church and its clergy, led by Patriarch Maksim, supports the people's work for continuous development, for progress in the Bulgarian People's Republic and for popular well-being.

The patriarchal and synodal appeal to the clergy and the faithful, entitled "40 Years of National Progress," signed by Patriarch Maksim and all members of the Holy Synod and delivered by synodal decree from the altars of all churches on Sunday, 9 September 1984, says among other things:

"...The faithful in our country who, by their conscience and convictions, are an indivisible part of the united and work-loving people not only salute the overall success of our reborn homeland, but also actively participate in achieving them in all fields of life."

The appeal reviews the life of the Bulgarian Orthodox Church during the past decades and says:

"The Bulgarian Orthodox Church, while carrying out with the support of the people's authorities a thoughtful religious service in a society of growing social justice, has traversed several periods of positive intra- and interchurch development, the abolition of the Schism of Sad Memory and the election of an exarch in 1945, the reestablishment of the ancient Bulgarian Patriarchate on 10 May 1953, and the strengthening of the church's high authority in the orthodox community...."

Greetings to the Bulgarian Patriarch Maksim on the occasion of his 70th birthday.

Let us wish him good spiritual and physical health to lead and direct for many more years the Bulgarian Orthodox Church along the path of its ecclesiastical and patriotic mission for the moral unity of the entire Bulgarian people toward further improving the well-being of the people and making our homeland shine with the immortal glory of a peace-loving, laborious and happy people.

Many, many returns.

12653

CSO: 8108/0963

4 April 1985

CZECHOSLOVAKIA

CHNOUPEK ENDORSES DISARMAMENT TALKS

Prague RUDE PRAVO in Czech 14 Feb 85 p 6

[Summary of article by B. Chnoupek in PRAVDA: "Imperative of the Times"]

[Text] On Wednesday the newspaper PRAVDA published an article by Czechoslovak Foreign Minister Bohuslav Chnoupek called "Imperative of the Times."

The author writes that the nuclear age urgently requires new, comprehensive approaches to politics, and dictates a need to reject categorically the very thought of a "limited," "protracted," or any other type of nuclear war. At the same time, it is essential to thwart the activization of revanchist forces and any efforts to revise the postwar order in Europe, to revise the Yalta and Potsdam conferences, which laid the foundations for a peaceful life in Europe.

B. Chnoupek emphasizes that Czechoslovakia welcomed the results of the Geneva meeting between Soviet Foreign Minister A. Gromyko and U.S. Secretary of State G. Shultz, where the subject and goals of the upcoming Soviet-American talks were agreed upon. We are pleased, he further writes, that their goal was clearly stated: to work out effective agreements, aimed at preventing the militarization of space and halting the feverish arms build-up on Earth, at limiting and reducing nuclear arsenals and at strengthening strategic stability.

We consider a categorical prohibition of space weapons to be of particular importance, because without that there can be no talk of a possibility of limiting nuclear weapons, continued the Czechoslovak foreign minister. Deployment of weapons in space would create a totally unacceptable precedent and, most of all, would be an obvious step by the United States toward gaining unilateral strategic military supremacy, which would lead to a new round of feverish arms build-up.

The peace-loving forces on our planet, including the nations of Czechoslovakia, fully support the efforts of the Soviet Union to have the proceedings result in mutually acceptable resolutions in the interest of world peace. Czechoslovakia also takes the position that the success of the new talks can be assured only if the United States ceases its efforts to gain unilateral advantages and to use diplomatic meetings as a cover-up for military preparations.

12605

CSO: 2400/283

CZECHOSLOVAKIA

CLEAN AIR ACTION RESULTS REVIEWED

Prague RUDE PRAVO in Czech 20 Feb 85 p 3

[Article by Frantisek Kalina, Czechoslovak minister of forest and water resources management: "With Greater Consistency Toward Clean Air"]

[Excerpts] Clean air indisputably is of decisive importance to the quality of the environment in which we live. The growing demands for the production of electricity and heat, where consumption roughly doubles every 10 years, for increased production and processing of raw materials of all kinds, as well as the growing use of cars, are constantly aggravating this problem.

Technical measures and investments, which are being expended on it, are still not in the requisite ratio to the amount of pollutants, mostly gaseous, released into the atmosphere. To be sure, approximately nine-tenths of all pollutants in the atmosphere come from the burning processes. The consequences of air pollution are evident mostly on Czechoslovak territory, where more than two-thirds of its sources are concentrated. At the same time, the atmosphere over Czechoslovak territory is being polluted to a considerable degree by sources from abroad, mostly the German Federal Republic.

During last year's international conference in Munich, a number of European countries expressed their readiness to reduce emissions of sulphur dioxide by 30 percent by the year 1983 in comparison to what it had been in 1980. These countries were joined by our Republic. In practical terms this means that the volume of investments thus far expended on measures for protecting the atmosphere will be substantially increased, and all of our national economy will face a number of demanding tasks, not only in the area of technology and investment, but legislative tasks as well.

The long-term involvement of the Czechoslovak Ministry of Forest and Water Management as a coordinating organization for the technical-economic problems of protecting the atmosphere follows from the directive of the 16th Congress of the Czechoslovak Communist Party. During the current 5-year plan, we have been concerned, first of all, with improving the quality of air in the mining districts of the Northern Bohemian region, in the Sokolov district, in the Ostrava-Karvin agglomeration, and in the capital city of Prague. Thus, for example, in the Northern Bohemia industrial region we put into operation a system of predicting and signalling critical air pollution conditions and a

consequent regulating of emissions from its greatest sources. The system is also being used by the district authorities to protect the health of the residents. At the same time we began construction of similar systems in Prague and in the Ostrava region, which will also make it possible to begin regulating pollution sources in those regions. With respect to specific conditions in Prague, this system will enable us to regulate car exhaust emissions as well.

As far as controlling actions are concerned, the Czech Technical Air Protection Inspectorate, an agency of our ministry, continued to move in the initiated direction to intensify controls and focus more sharply on the supervision of compliance by operators of air pollution sources. Last year they imposed almost Kcs 20 million in fines and issued 100 decisions on the need to correct defects in specific emission equipment. Still among the most wide-ranging control actions is the innovative program of the power industry, where the replacement and reconstruction of smokestacks in the production complex of the Czech Power Works will bring about a total reduction of solid emissions by approximately 160,000 tons a year. Furthermore, the inspectorate continues to oversee the implementation of investment programs for the protection of the atmosphere which are part of the government plan, as well as programs subsidized by the Fund for the Protection of the Atmosphere, which is the economic tool of our ministry for the reduction of emissions. The last 3 years have seen the fund being used to an ever increasing degree, so that in 1984 its assets in the amount of about Ksc 120 million were no longer sufficient to subsidize priority programs, and it was therefore reinforced by monies from the state budget.

Of fundamental importance to limiting the emissions of sulphur dioxide is the industrial desulphurization of fuels at two or three large power plants. In accordance with the decision of the Czechoslovak Government, construction has begun on experimental production equipment on the 200 MW block of the Tusimice II electric plant based on the Soviet magnetization method. We are also planning to introduce other methods, for example dry additives, as well as wet limestone or calcium methods. Together with the development of fluid combustion processes, as is evidenced by the recent introduction into production of a fluid boiler in the Trnava heating plant, these steps are proof of the serious approach taken by our republic toward fulfilling the obligations undertaken under the agreement on pollution drift across national boundaries, and a contribution to peaceful cooperation in Europe.

We are setting high goals for ourselves. We are endeavoring, during the Eighth 5-Year Plan, to stop the deterioration of the environment to the extent that in the year 2000 we shall have arrived at conditions which existed at the juncture of the 1960's and 1970's. The achievement of these goals depends on whether we shall, even today, create the necessary conditions.

12605

CSO: 2400/283

CZECHOSLOVAKIA

BRIEFS

FRG REVANCHIST ARTICLE NOTED--The Dortmund municipal court dismissed a criminal charge made by the German Communist Party against the publisher of the newspaper DER SCHLESIER and others who participated in publishing a provocative article, "Reflections on Germany," in this news organ of the revanchist Silesian Landsmannschaft. The regional organization of the German Communist Party in Northern Rhein-Westphalia called this article a violation of the constitution of the German Federal Republic, which forbids incitement to war. The author of the article called, among other things, for dispatching the Bundeswehr up to the borders of the USSR, which should solve the "German question" and restore the "Great German Empire." The town prosecutor ruled the criminal charge to be without merit. The warmongering contained in the article, according to him, is only "emotional propaganda." The decision of the Dortmund court confirmed once again that West German justice, in concordance with the attitudes of the ruling circles, tolerates unconstitutional activities of various revanchist groups and organizations. [Text] [Prague RUDE PRAVO in Czech 14 Feb 85 p 7] 12605

CSO: 2400/283

GERMAN DEMOCRATIC REPUBLIC

WW II ANNIVERSARY TO BE USED FOR PROPAGANDA

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 19 Jan 85 p 12

[Article by Peter Jochen Winters datelined Berlin in January: "An Opportunity for Agitation"]

[Text] According to Honecker, "the victory of the heroic Soviet people and its glorious Army which, as the decisive force of the anti-Hitler coalition, carried the main burden in the destruction of the brown tyranny" represents the "second world historic deed of liberation for mankind," outdone only by the "Great October Socialist Revolution." It is not surprising, therefore, that the GDR spares no expense to celebrate the 40th anniversary of the end of World War II on 8 May as the "anniversary of the victory over Hitler fascism and the liberation of the German people" by the Soviet Union. To quote Ernst Thaelmann, for communists and the class conscious sector of the proletariat, anniversaries are "not empty memorial days; instead they are guidelines for the class war, directives for action." Consequently, for the SED 8 May is a day for celebrating not only the Soviet Union but the party itself: The opportunity offering by the victory of the Soviet Army to fundamentally change its history--said Honecker--"was used by our people, led by the SED and building on the teachings and experiences of the antifascist resistance." 8 May thus also represents a day for celebrating the GDR's "fraternal alliance" with the Soviet Union.

Celebrated at the many and varied events staged in the GDR for the 40th anniversary of the end of World War II will be only two victors: The "glorious Soviet Army" and the SED. Hardly mentioned is the fact that the Western Allies had a not unimportant share in the destruction of National Socialism. To be sure, in his address to the diplomatic corps on the occasion of the New Year reception, GDR Council of State chairman remembered the sacrifices involved in "victory and liberation" and enumerated the following: "More than 50 million people paid with their blood for German fascism. Among them were 20 million Soviet citizens, more than 6 million Poles, 1.7 million Yugoslavs, 600,000 Frenchmen, 400,000 U.S. citizens and 375,000 Britons. The fascist beast took more than 6 million German lives, including women and men of the Resistance who sacrificed their lives for freedom." But even then he stressed that "with 20 million dead, the Soviet people who carried the main burden of this most terrible of all wars, brought the heaviest sacrifices."

Up and down the GDR, preparations are going on for the 40th anniversary of "victory and liberation." With the slogan "art in the struggle for peace," GDR art museums are preparing a series of exhibitions. One exhibit, put together by the Dresden State Art Collections, "Dresden - Profession and Obligation," is designed to document the extent of the inferno of World War II and, most likely, point to Dresden's destruction by the bombers of the Western Allies. This provides material for the topical agitation against war loving imperialists. The Museum of German History in East Berlin will mount an exhibition "Liberation - for Peace, Democracy and Social Progress," which aims to illustrate the "Soviet Army's world historic deed of liberation, pay tribute to the struggles of German antifascists and illustrate the profound political and social changes after 1945." The state museums in East Berlin will deal with the salvation of works of art and artefacts by the Soviet Army in another exhibition. With the heading "Art Treasures of the World - Preserved for Mankind," it is intended to show those works of art which, after 1945, were taken to the Soviet Union by the Soviet Army and returned to the GDR 10 years later. It is that simple: The imperialist Western Allies as the destroyers of Dresden, the humanist Soviets as the saviors and preservers of the art treasures not only of Dresden. Finally, "as one of the climaxes" in the anniversary year, a Museum of Antifascist Resistance is to be opened in the former Buchenwald concentration camp "on the occasion of the prisoners' self-liberation from the fascist concentration camp on Ettersberg, 40 years ago."

These projects exemplify that the memory of 8 May 1945 is to be exclusively utilized as a guideline for the class war, a guide for communist action. The responsible authorities in Eisenach, Erfurt, Weimar, Jena, Magdeburg or Leipzig have not the slightest hesitation to celebrate 8 May as the anniversary of the liberation by the glorious Soviet Army, although all these cities--like much of the present GDR--was occupied or liberated in 1945 by the Americans, not the Russians. Nobody will mention at the "victory celebrations" in the GDR that General Eisenhower broke off the advance to the east and informed the Soviet Supreme Command on 21 April 1945 that he would stop his forces at a line approximately running along the Elbe and turn south. True, even now a monument at the Elbe near Torgau proclaims that American and Soviet forces met here for the first time on 25 April 1945, but the authorities in the GDR are very pleased that the Americans are obviously refraining from showing the flag in the GDR at the 40th anniversary of this event and the end of the war to remind people of their share in the victory over Hitler Germany.

Incidentally, on this issue Bonn and East Berlin are curiously agreed. While East Berlin does not wish for the Americans to be in Torgau in order to be undisturbed in its celebrations of the glorious Soviet Army's deed of liberation, Bonn prefers to keep the Americans away from Torgau so as to prevent a joint American-Russian victory celebration on German soil. Did the Federal Government at any time consider what may be the feelings of Germans in Thuringia and those parts of Saxony, which were occupied by the Americans at that time, and who are now made to celebrate the Soviets alone as the victors? Surely these Germans and others would quite like the Americans to be present in Torgau, Leipzig or elsewhere in the GDR on the 40th anniversary of

the end of the war, thereby documenting the continuing rights and responsibilities of all the four victorious powers for Germany as a whole. It is surely not a sensible decision to voluntarily leave the field to the Soviets and the SED for their agitation and propaganda events.

11698

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4 April 1985

GERMAN DEMOCRATIC REPUBLIC

CATHOLIC YOUTH CONGRESS ANNOUNCED

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 29 Jan 85 p 5

[Article signed "Ws." datelined Berlin 28 Jan 85: "'Not Getting Ahead At Any Price'"]

[Text] A Catholic Youth Congress will take place from 17-19 May next in East Berlin. In preparation of the youth congress, a joint pastoral letter from the Berlin Bishops' Conference (the association of all Catholic bishops in the GDR and East Berlin) was read last Sunday in GDR Catholic churches. In this letter, the bishops are encouraging the young Catholics in the GDR to be different from their environment though, at the same time, emphasizing that this should not mean being against all others and living in constant opposition. The congress, occurring in the "youth year" proclaimed by the United Nations, has adopted the slogan "Christ, Our Future" and will be inaugurated on 17 May in East Berlin's St Hedwig Cathedral.

"Those aware of the destructive diabolic cycle of injustice and revenge, sense the blessing for the future of mankind Christ will bestow on us if we follow Him," the bishops wrote in their pastoral letter; fulfilled in Christ is the longing for one human family. There will no longer be "Blacks and Whites, masters and slaves, war and exploitation," as always it is the objective of young people to achieve something in their lives. But, anyone opting for Christ in the GDR, "may not want to get ahead at any price." It is possible that he may simply be unable to enter certain professions or obtain certain jobs. "If Christ is to be our future, we must in such a case give up a bit of worldly future and have the courage to be different from our surroundings," the GDR Catholic bishops wrote. Cited as examples of such resolution are the English Lord Chancellor Thomas Moore (executed 1535), Berlin Cathedral Dean Bernhard Lichtenberg (died during transportation to a concentration camp in 1943), the Protestant theologian Dietrich Bonhoeffer (murdered in concentration camp in 1945) and the brother and sister Scholl (executed 1943).

The courage to be different is not to be equated with being against the others and living in constant opposition. Christians, so the Berlin Bishops' Conference stresses, are different because they "are for true life, champion the dignity of man, wish to be available for others, commit themselves to a decent society and a genuine and lasting peace." In contrast to public

opinion which permits premarital sexual experiences, marriages without a license and abortion, Christians take pains to preserve respect for the dignity of the partner, "strive for reverence and modesty, affirm the matrimonial community for life, say 'yes' to the child," the bishops state.

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GERMAN DEMOCRATIC REPUBLIC

REFUGEE BORDER GUARD DESCRIBES SECURITY DEVICES

Bonn RHEINISCHER MERKUR/CHRIST UND WELT in German 26 Jan 85 p 4

[Article by Helmut Kamphausen: "The Border of Death Hasn't Gotten Any More Harmless"]

[Text] Ralf Molter had had enough. On 6 October of last year, the 22-year-old risked the decisive jump. As lieutenant of the GDR border guard he was well acquainted with the mine belt and fled across the border to the West near Kronach, Bavaria, and reported to the Federal Border Police. They recognized immediately the significance of the case and called in the Federal Intelligence Service and the Office for the Protection of the Constitution. The young border guard, stationed since August 1981 with the 15th Border regiment in Probstzella, was ready to disclose everything he had learned first-hand during those 3 years about the new disposition and reorganization of the security barriers and the border troops.

Thereby he confirmed what Western intelligence services had suspected for some time: in 1985, the border running through Germany is more dangerous than ever, being even more perfectly secured.

In October 1984, when chairman of the GDR State Council Erich Honecker stated to Austrian journalists that the SM 70 automatic killing device being dismantled "along the entire length of the border," this concession was erroneously seen in conjunction with the credit of billions just then granted by the FRG to the GDR. As early as 1979, the command of the GDR border troops in Paetz, near Koenigswusterhausen, had formed a special staff which was to work out a more effective protection of the "national border to the West" against border breakthroughs from East to West.

The SM 70 automatic killing machine--mounted for the first time in 1971 at the border with Lower Saxony--had not lived up to expectations since it could not prevent flight across the border security installations. Only too often "barrier breakers" managed to reach the FRG, severely wounded.

The studies of the border troop commands led to changes in 1983 which have since been put into practice, according to Molter. The border security installations were changed and the border troops reorganized.

Since 1983, the border barrier system is being changed wherever the automatic killers were dismantled and the mines swept. The GSZ 55 signal fence--which the Border Police calls a security strip fence (SSZ)--has been replaced with the GSZ 80. As high as 2 meters, this fence consists of metal grid plates and is topped with bumpers facing East and West. The metal grid plates rest on a base 50 centimeters deep so that tunneling under the obstacle is impossible. From the ground to the bumpers, the fence is covered with a total of 16 parallel contact wires which set off the alarm. The bumpers have additional 4 contact wires each. Overcoming this obstacle seems no longer possible without considerable equipment.

The signal fence is interrupted at irregular intervals by electrically secured gates which are supposed to enable the border soldiers to reach the security strip. These gates are controlled by higher command posts and can only be opened by a number code which is changed every 12 hours as Ralf Molter disclosed. Trip wires are stretched across the security strip which detonate signal or explosive ammunition upon touch. At the same time, an alarm is set off in the command post. The changes in the GDR border security system at the "state border West" are intended to prevent border breakthroughs deeper inside one's own territory. For this reason, the GDR border troops were also reorganized.

Under the new border control system, only three of the four platoons of each company are now used for direct border control. Formerly, a company had only two or three border scouts, that is, soldiers who are absolutely reliable in the opinion of the SED, and who are allowed to patrol in front of the fence, i.e., between the metal grid and the actual border. According to GDR Lieutenant Molter, a whole platoon of border scouts has now been formed. These border scouts are soldiers selected by the state security service who have special rights and also receive higher pay. Sixty percent of them are deployed in the 5-km prohibited zone up to the security strip, 20 percent in the security strip, and 20 percent in the terrain between the actual border and the metal grid fence; that is, in front of the border security installations, as seen from the FRG side.

Together with the reorganization of the units, use of the border companies in the border control service has also been changed. Now, border patrols are no longer deployed primarily in front and parallel to the border, but instead are drawn up in deep echelon. Their deployment terrain stretches from the metal grid fence at the border back deep into the prohibited zone. At sectors which are suitable for a covered approach to the border security installations, stronger patrols are used.

This new form of border control has had the result that from the West, patrols of the border troops can rarely be observed in the direct vicinity of border security installations. The border often seems unwatched, and because of the lack of SM 70 automatic killers, it appears to be much more harmless than in former years. Molter confirmed that that is not the case, and stated that at the daily issuing of orders in all border companies it is still said "You are deployed here..with the task of preventing border

breakthroughs in both directions, to seek out, arrest, or destroy border violators..."

The escaped lieutenant reports that "in the training of border soldiers, it is said time and again: a dead man at the border is always better than a refugee in the West."

9917

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4 April 1985

GERMAN DEMOCRATIC REPUBLIC

REVISED VIEW OF YOUTH CRIMES DEVELOPED

Cologne DEUTSCHLAND ARCHIV in German Vol 18 No 1, Jan 85 (signed to press 22 Dec 84) pp 68-74

[Article by Dr Arnold Freiburg, member of the Research Center for Youth Problems in Hannover: "'A Sort of Production and Reproduction of Juvenile Delinquency'--GDR Criminology On the Road to Reality"(1)]

[Text] According to the "as usual" valid "fundamental Marxist-Leninist notion, "criminality" is said to have "evolved and emerged consequent upon the social division of labor, the establishment of private ownership of the means of production, exploitation and classes (antagonistically confronting one another)." In the GDR, therefore, "the main basic socioeconomic cause of criminality" is alleged to have been "largely removed." Criminality is said to be "no longer something inherent in the system; indeed it is foreign to the nature of socialism." That, however, gives rise to the question "of the reasons for the persistence of this social phenomenon even now." (2)

The GDR has long been hard put to it to deal with this question. Statements in the classics of Marxism-Leninism, party and party congress resolutions and propaganda intent obstructed any unprejudiced consideration of criminality. Admittedly, in the early 1960's a more sophisticated friend-foe, contamination and rudiment doctrine(3) replaced the 1950's Stalinist verdict, according to which crime, even juvenile crime or offenses committed under the influence of alcohol, and the combat against it were claimed to be a reflection of the class war, but that was as far as it went to this day. Even in 1983, Erich Buchholz, East Berlin jurist and criminologist, postulated that criminality was "an appendix of the past," and it would therefore be inappropriate "to seek any 'new' causes of crime in socialist social conditions." (4) Buchholz explicitly shifted to the "outside" "the main real socioeconomic cause of crime, sufficiently perceived in its essential nature," and the "outside...is to be interpreted both in terms of geography and politics as well as history." He described in great detail the "two ways" by which said cause of crime operates in the GDR: on the one hand, "from capitalist countries", which "launch hostile attacks on real socialism, particularly in the field of ideology and psychology." The menace of these attacks should "not be underestimated." They are "expressed in direct crimes against the state system and more or less indirectly in almost all types of offenses of general criminality," in other words in nonpolitical crimes, too. On the other hand, the abovementioned

"main cause" "continues to linger on from the past." "Private ownership of the means of production formed mankind for thousands of years, determined its social conditions and behavior, mode of thoughts, behavioral stereotypes, thought models, and so on." It is claimed to have "so much social power that the models of thought and action it produced continue to linger for a very long time, across generations and entire historical processes." Moreover, "in the current status of communications equipment, our citizens are exposed more or less to the being and consciousness of the entire world." This provides "massive support for the lingering in the GDR of obsolete modes of thought and behavior." (5) The predictions by the classics of Marxism-Leninism about the "dying off" of criminality in socialism-communism are alleged to still hold true, the only difference being that there is a far less optimistic assessment of the time needed for this achievement than had been the case in the 1950's and 1960's. The authors of the semi-official 1978 GDR textbook "Strafrecht Allgemeiner Teil" [Penal Law General Part], (the only one of its kind at the moment), commented that the problem of crime "could not be dealt with at one stroke nor even within a few decades of socialist construction." Required was a process of "fundamental change of society and people," and this "would be perfected only at the time of the worldwide victory of socialism." (6)

Thus it seems that nothing has changed. "Socialist criminology" persists in its traditional assignment of guilt, exonerates real socialism of any responsibility for problems which have been arising in its sphere for many years, all over the place and in large numbers. It postpones the predicted and promised final solution of these problems to an unspecified date in the far future, and it does all this without infringing on the teachings of the "classics." Nobody may challenge the prediction of the ultimate and worldwide victory of socialism after which everything will change for the better.

And yet remarkable events are proceeding behind this ideological-propagandist wall of fog. The output of statements and justifications like the ones mentioned above represents only one aspect of current GDR criminology. After all, if the authorities wish to cope with the problems of crime in their own country, practical work needs to be done. Buchholz indicated the approach by which the collision with ideological cliffs may be avoided. As, according to him, "this main socioeconomic cause of crime in the capitalist-imperialist countries...cannot be either directly tackled nor removed nor abolished" by the GDR, the practical task consists in "gradually so to change and transform internal social conditions that we, in the GDR, increasingly deprive crime of its soil and scope and thereby make it increasingly hard for the main cause of crime operating and persisting from 'outside'." (7)

Since the end of the 1960's, crime in the GDR has grown considerably both quantitatively and qualitatively. (8) 1968 crime figures, the lowest recorded in GDR history, are now considered the "very lowest status" (9) and no longer the yardstick of possible achievement by the anticrime agencies. Nobody now expects crime to decline in the foreseeable future; there seems to be general acceptance of the proposition "that we have arrived at a kind of stagnation in the movement of criminality." Though this process is "not to be described as a trend in the movement of crime in the socialist society," (10), the phraseology used speaks volumes. The extent of damage has risen substantially

with regard to offenses against property, which account for half of all crime. In the 1960's, for example, the damage involved in the theft of socialist property exceeded M1,000 in only 8.5 percent of cases, while damage exceeded M10,000 in 22 percent of 1978 crimes. "Offenses involving greater damage" have also increased with regard to crimes against personal and private property.(11) As for the criminals, it is complained, on the one hand, that, in contrast to former times, "many offenders tend (to be) more intelligent--a phenomenon due to the development of our educational system,"(12), though in fact it is probably due more to the widespread enterprise-internal criminality and the "shadow economy," characteristic for real socialist conditions. On the other hand, recidivists account for a greater percentage of the crime total. In the 1960's, they were 18 percent, in the 1970's already 21 percent. Within the group of repeaters, the incidence of multiple offenders rose from 44 percent to 46 percent. "Recidivism," so runs the complaint, "considerably (disrupts) the processes of socialist personality formation." "At the very least, limits due to historical circumstances" are said to militate against the possibility to "hold back" the relevant "processes of disintegration and negligence."(13) In general the development of crime has been unfavorable ever since 1968; in fact, "since the early 1970's," allegedly due to influences exerted by the "class foe," "criminal phenomena reemerged, which had almost died out in the GDR of the 1960's."(14)

Juvenile delinquency is a special problem. "Far too many crimes continue to be committed by young people below 25." Minors "enter the age of criminal responsibility in relatively large numbers, well above those of 25 years and over."(15) The figures quoted for this age group in 1981 were about 1,600 delinquents per 100,000 juveniles.(16) These are higher figures than those published toward the end of the 1960's. Delinquency has also risen among the 18-21 year olds. In fact, this is the group most affected (in the 1960's, it was that of the 16 and 17-year olds). Criminality "culminates around the 21st year, thereafter begins to gradually decrease and drops very sharply after the 25th year." Crime among the 25-35 year group "is actually lower than among the 14-16 year old juveniles." "Male juveniles continue to predominate" in the field of criminality(17), in 1980 the ratio of female to male offenders was 1 : 9 among the 14-18 year group.(18) In this respect nothing has changed since the 1960's. The relatively high rate of crime among young people largely determines the structure and movement of crime generally. The increase in crime since 1969 is certainly due to a large part to the rise in the juvenile population from 2.4 million to 3 million in 1968-1979, the "north-south difference" in GDR crime to the large percentage of young people among the population of the northern and Oder districts.(19) The "slight decline" in juvenile delinquency and crime generally, reported for the "early 1980's," is the result of the declining figures for juveniles and young adults, not of a diminution of criminality. Registered instead was "a kind of stagnation in the movement of juvenile delinquency"; no success was achieved by the attempt "to produce a perceptible falling off." Indeed, "a fluctuation of juvenile delinquency around an almost stationary average" has been observed "for almost 20 years."(20) The structure of offenses committed by young people largely corresponds to that of crime generally, in fact positively determines it, though with a shift to less serious crime, mainly lesser thefts and offenses against property. On the other hand, violent crime

(except murder) is the domain of youth. Toward the end of the 1970's, GDR studies recorded 58 percent of offenders less than 25 years as involved in "rowdyish bodily harm," 85 percent in robberies and "more than two thirds" in rape, "including 20 percent of youngsters less than 18." Moreover, "about half of all repeaters already" commit their first offense "before age 18." (21) These minors thus embark on a career leading to the reproduction of the "hard core" of crime, that is the group of previously convicted persons and recidivists. The authorities are "no longer willing to accept the stagnation in the movement of crime, the entry of young offenders." (22)

The GDR is trying to counter the rise in crime recorded in the 1970's--from 1969 to 1973 and from 1978 to 1980--by the adoption of a multiple strategy:

-- Much importance was assigned the effect of legal propaganda and legal education in schools, vocational schools, enterprises and mass media. Though specialized reviews often object to these measures as inadequate, (23) it appears that at least one benefit is being reaped: Increased reporting in the local press of rowdyism, muggings and so on, has produced a kind of "law and order mentality" even among those who normally tend to be critical of and keep their distance from the police and the administration of justice. (24) This development is certainly not unwelcome to the GDR Government.

-- Checks and supervisory agencies were strengthened. The number of "voluntary aides of the German People's Police," for example, was raised to 160,000. These aides use their leisure to assist, in groups of 20, the section leaders of the VP [People's Police]. Their powers have been expanded by decree of 1 April 1982 (GBI I p 434). Similar steps were taken with regard to the FDJ public order groups which preserve order in schools and youth facilities, at public events and as street patrols. They had a membership of 40,000 in fall 1982 and are to be further expanded. More checks were carried out in factories, stores and on construction sites. The two revisions of the "decree on potential criminals" (1974 and 1979) assigned more powers to the local authorities to place persons considered "potential criminals" under surveillance and allocate them specific tasks to be carried out. (25)

-- This policy was centered on greater severity of prosecution. This was taken care of by three criminal amendment laws of 1974, 1977 and 1979 with their ancillary laws and Supreme Court instructions to the administration of justice. (26) In 1968, the year of the major reform of GDR criminal law, 56 percent of convicted offenders were sentenced, 33.9 percent handed over to the social courts for educational measures, and penalties were forgiven 10.1 percent of offenders or the cases dismissed. The data for 1982 are as follows: 76.2 percent sentenced, 19.7 percent handed over to the social courts and 4.1 other decisions. With regard to penalties, a perceptible shift occurred to harsher penalties. Fines replaced the passing on to conflict and arbitration commissions, probation was ordered more frequently than fines (as a main penalty), prison sentences achieved the largest percentage among penalties and measures. In 1978, 30.5 percent of all convicted persons or those assigned the social courts were sentenced to arrest or prison, compared with only 21 percent in 1964 (admittedly, in 1960 as many as 51 percent). (27)

Treatment of juvenile delinquents (under 18 years) also was more severe in the 1970's. The three criminal amendment laws expanded the scope of penalties for typical juvenile crimes; youth confinement--earlier admissible only in specific instances--was reintroduced as a general measure and less use made of the opportunity of dropping charges and instead trying educational means--including handing over to a social court. In 1974, 40 percent of delinquent minors were indicted, in 1977 already almost 50 percent, and the percentage is likely to have risen since.(28) On the one hand this development demonstrates the attempt to quickly deal with the rise in crime by the apparently simplest and cheapest recourse--massive deterrence and repression--; on the other it reflects the increasing "seriousness" of criminality.

-- Lastly, criminological (especially youth criminological) research was intensified, involving the sacrifice of some ideological attitudes and taboos which had been considered unassailable until well into the 1970's. No longer are migration, population congestion, large city, new residential districts, social differences and socialist performance principle considered harmless. In fact it is now said "that...neither the reference to the tenacity of old habits nor the observation of the manipulative influence of bourgeois ideology are enough to...explain such manifestations as egotism, apathy, lack of consideration, restraint of performance, infringement of socialist legal principles, and so on."(29)

Youth criminology is often the pacemaker for criminology as a whole.(30) That holds true for the GDR, too, as exemplified there in the 1960's(31) and again now. In the 1950's, East Berlin criminal jurist John Lekschas, a scholar remarkable for his adaptability, capacity for change and learning, vehemently objected to "bourgeois-idealistic tendencies" of other GDR writers (for example Josef Streit, now GDR attorney general) and championed Stalin's doctrine of crime as the expression of the class war.(32) In the 1960's he developed into the leading GDR youth criminologist.(33) Cited to this day (though not by Lekschas himself) is his pronouncement that juvenile delinquency and crime in socialism generally is to be considered due to the lack of the "possible and necessary maturity of conscience and social consciousness."(34)

Nowadays also, Lekschas provides new stimuli to youth criminology and, consequently, GDR criminology as a whole. Though champions of the old attitudes still have their say (for example Harland who points out the increase in neonatal cerebral damage or the attempt to ascribe the increase in rowdiness to "the influence of increased imperialist incitement and demagoguery"),(35) Lekschas seems to be prevailing with his view that "biological factors" have little influence, and that the causes of juvenile delinquency are not to be sought "primarily in the personality of juvenile delinquents" but represent "breaks in the process of socialization." Unfortunately, he says, it has turned out that the scientific disciplines involved "have failed to advance to the perception of the laws of social integration and the establishment and development of human personality in this process of socialization. Currently possible," therefore, are merely "statements of a hypothetical nature."(36) Indeed, there is no lack of these. Lekschas himself claims "as the result of earlier research..." to have ascertained

"various groups of contradictions within which criminogenous potentials may evolve." They are to begin with, "the contradiction between imperialism and socialism with all its material and ideological tendencies to variously disrupt the development of socialism." Then there are the contradictions in socialism proper, "in particular the types of acquisition" and "the method of management." This means especially the "socialist principle of performance and distribution." which--in the case of abuse and misuse, may effect "disturbances in the development of consciousness." (37) Only a few years ago, such a suggestion was angrily repudiated. (38) Also said to have a criminogenous effect was "a unilateral and superficial orientation to efforts for material consumption," evidently a widespread phenomenon. Important, too, are "disproportions in the development of the various spheres of social life." Decoded, this amounts to criticism of "some new residential districts." Of significance as well is "the standard of public opinion." This refers to "the toleration of criminal derailments," to be "observed in particular with respect to speculation, usury, corruption, venality and similar manifestations." Contradictions are also to be found in the "development of the state and social superstructure." Consequently, if "the growing needs of the public" regarding "responsible involvement in the organization of social concerns" failed to be "properly satisfied," "tensions or friction were bound to arise." And, finally, it would have to be appreciated that we "still need to learn to recognize and master the laws of nature, of society," of "human action" and "intellectual life." As long as this is not the case, "conflicts and spontaneous anarchistic behavior" may well result. (39) At least six of these eight points indicate the real socialist system proper, and not only its temporary and conquerable inadequacies (as alleged here) but its basic economic, political, social and ideological structures. We may question whether the GDR experts are aware of this implication. Much more important is the fact that the causes of crime are at last sought also in the total societal sphere. At this time, the definite statement is made that GDR criminology rejects "any attempt to ascribe sole or even prime responsibility for the trouble to the family or any other participant in social integration." (40) It has at last been acknowledged and admitted "that even in the developed socialist society social contradictions are at work, as a result of which a kind of production and reproduction of juvenile delinquency operates." (41)

The consequences are notable. Lekschas and his fellows arrive at the conclusion that traditional crime prevention with the help of the penal code (described by them as "criminological prevention") has "largely achieved its potential," though there is room for improvement in view of the "rate of recidivism at a youthful age" and "some massive neglect of aid to criminally endangered youth," due to "bureaucratic obstacles," "conflicts of competence," and so on and so forth. The authors call for the expansion of "general social prevention." They are concerned "about the kind of the organization of conditions and relations within which children and adolescents develop." (42) Lekschas asks "what ought to be changed in the process of training the young generation for the minimum ethical performance involved in respect for the basic rules of human coexistence and to be achieved without special difficulty." He answers that this may occur all the more easily, "the greater the extent of the young people's identification with the social objectives of

socialism, and that this proceeds the more profoundly and solidly, the more the essential creative forces of man evolve and strengthen while he is young, and are also called upon by society, the state and the various social collectives."(43) The approach suggested is not that of adaptation but creative activism, not tutelage but individual responsibility, and thereby and above all the opportunity to identify with society and its objectives. That makes sense but is hard to accomplish.

In view of such developments, it is increasingly irrelevant to ask how seriously now to take the doctrine of rudiments and contamination as well as the forecast of the withering away of crime, and if they are being believed or represent no more than ideological lip service and propaganda. Doubts about the efficacy and appropriateness of deterrence and massive repression have become evident. Authorities such as Buchholz and Lekschas have begun to appreciate crime as a social problem of real socialism and are working on the appropriate solutions to the problem. It is to be hoped that this more humane and reasonable assessment of the nature of deviant behavior and its handling will prevail.

FOOTNOTES

1. A detailed description is offered by Arnold Freiburg, "Crime and Criminal Policy in the GDR 1968-1983," in Dieter Voigt (editor): "Die Gesellschaft der DDR. Untersuchungen zu Ausgewählten Bereichen" [GDR Society. Studies of Selected Sectors], Berlin 1985.
2. Erich Buchholz, "On the Causes of Crime in the GDR," NEUE JUSTIZ (NJ), 1983, pp 199-202, here 199.
3. See Horst Hildebrand, "The Causes of Crime. On the Discussion in the Soviet Zone," in "Jahrbuch fuer Ostrecht" [Annual on Eastern Law], 1963, pp 29-43.
4. Buchholz, as before (note 2), p 199.
5. Ibid, pp 199f.
6. "Strafrecht Allgemeiner Teil Lehrbuch" [Penal Law General Part Manual], issued by the section Jurisprudence at Humboldt University, Berlin, the GDR Academy for Political Science and Jurisprudence, Potsdam-Babelsberg, East Berlin, second amended edition 1978. Here p 35.
7. Buchholz, as before (note 2), p 200.
8. For details see Freiburg, as before (note 1).
9. John Lekschas et al, "Kriminologie. Theoretische Grundlagen und Analysen" [Criminology. Theoretical Bases and Analyses], East Berlin 1983, p 182.

10. Lekschas, "Zur Vorbeugung der Kriminalitaet Minderjaehriger - Forschungsprobleme" [On the Prevention of Juvenile Delinquency - Research Problems], East Berlin 1984, pp 5 and 29.
11. Lekschas et al, as before (note 9), pp 190-193; Arnold Freiburg, "Kriminalitaet in der DDR. Zur Phoenomenologie des Abweichenden Verhaltens im Sozialistischen Deutschen Staat" [On the Phenomenology of Deviant Behavior in the German Socialist State], Opladen 1981, pp 90-93.
12. Publication "Film and Television," "The Devil Brewed the Liquor." Experiences of 75 Sequences of "Police Call 110." In FILM UND FERNSEHEN, 1981, No 10, pp 3-7, here 3. A typical GDR contribution to Adornos "Dialektik der Aufklaerung: [Dialectic of Enlightenment]?"
13. Lekschas et al, as before, (note 9), pp 199f.
14. Ibid, p 210.
15. Lekschas, as before (note 10), pp 5f.
16. Siegfried Wittenbeck, "Significance and Topical Tasks of Socialist Law in the Further Organization of the Developed Socialist Society in the GDR," DIE FACHSCHULE, 1983, No 6, pp 121-126.
17. Lekschas et al, as before (note 9), p 354; Lekschas, as before (note 10), pp 6f.
18. Werner Wueisser, "Jugendstreiche oder Rowdytum" [Youthful Mischief or Rowdyism?], East Berlin, Verlag Neues Leben, 1983, p 7; see also Freiburg, "Crime in the GDR...", as before (note 11), pp 219-224.
19. See Freiburg, as before (note 11), pp 196-207.
20. Lekschas, as before (note 10), p 71.
21. Lekschas et al, as before (note 9), pp 190-201. They certainly mean before completion of the 18th year of life.
22. Lekschas, as before (*note 10), p 29.
23. For example Karl-Heinz Christoph, "Courts and State Notariats Assist Legal Propaganda in the Mass Media," NJ 1983, pp 154f.
24. That is certainly the impression gained by the author.
25. See Friedrich-Christian Schroeder: "Das Strafrecht des Realen Sozialismus. Eine Einfuehrung am Beispiel der DDR" [Penal Law of Real Socialism. An Introduction by the Example of the GDR], Opladen 1983.

26. Penal Amendment Law of 19 December 1974 (GBI 1975 I p 14); Second Penal Amendment Law of 28 June 1979 (GBI I 139); S. Schroeder, as before (note 25).
27. For details see Freiburg, "Crime and Criminal Policy," as before (note 1).
28. See Freiburg, "Crime in the GDR," as before (note 11), p 277.
29. Toni Hahn/Loni Niederlaender, "On the Large City Lifestyle. Theoretical-Methodological Problems of Its Research," DEUTSCHE ZEITSCHRIFT FÜR PHILOSOPHIE 1982, pp 754-767, here p 765. In full agreement with the hypotheses of the two East Berlin sociologists, Erich Buchholz, as before (note 2). For details see Freiburg, "Crime and Criminal Policy," as before (note 1).
30. See Guenther Kaiser, "Jugendrecht und Jugendkriminalität" [Youth Law and Juvenile Delinquency], Weinheim and Basel 1973, p 33.
31. See the collection "Jugendkriminalität und Ihre Bekämpfung in der Sozialistischen Gesellschaft" [Juvenile Delinquency and Its Combating by the Socialist Society], published by Institute for Penal Law, Humboldt University, Berlin, East Berlin 1965.
32. See NJ 1958, pp 309-314 and 349-352; Hildebrand, as before (note 3); Freiburg, "Crime in the GDR," as before (note 11) p 247.
33. See Lekschas' contribution in the collection "Juvenile Delinquency..." as before (note 31).
34. The latest time in Lekschas et al, as before (note 9), p 181, by Harri Harrlund.
35. Ibid, pp 186 and 207. On the occurrence of medical-biological explanations in GDR criminology and, in general, the latter's blind spots, see also Guenther Sander, "Abweichendes Verhalten in der GDR. Kriminalitätstheorie in einer Sozialistischen Gesellschaft" [Deviant Behavior in the GDR. Theory of Crime in a Socialist Society], Frankfurt/Main and New York 1979.
36. Lekschas et al, as before (note 9), pp 355-358.
37. Lekschas, as before (note 10), pp 12f.
38. See Freiburg, "Crime..." as before (note 11), p 288.
39. Lekschas, as before (note 10), pp 13f.
40. Lekschas et al, as before (note 9) p 362.
41. Lekschas, as before (note 10), p 7.

42. Ibid, p 24 and elsewhere; Lekschas et al, as before (note 9), p 483 and elsewhere; to a similar effect Buchholz, as before (note 2).
43. Lekschas, as before (note 10), p 29.

11698

CSO: 2300/291

POLAND

GORNICKI DISCUSSES WEST'S INTENTIONS, DOMESTIC DUTIES

Warsaw ZOLNIERZ POLSKI in Polish No 52, 23-30 Dec 84 pp 5, 10

[Interview with Major Wieslaw Gornicki, director of the Study Team for the Chairman of the Council of Ministers, by Bartosz Glowacki; date and place not indicated]

[Text] [Question] The average individual visualizes the governmental advisor, more or less, as one who is prepared for anything, is an experienced and well-oriented specialist in his area of expertise, closely follows current events and knows several languages... As an advisor to Gen Wojciech Jaruzelski, does something close to this apply, in fact, to what you do? And what good is your journalistic experience to the premier?

[Answer] I do not know if this is what is currently thought to be the case concerning governmental advisors and I generally doubt if anything like this exists.

[Question] I would like to talk with you first as a well-known journalist who has acquired the most important awards--the Prus and Brun; then I would like to talk to you as an advisor to the premier. Finally, you are also an officer in the Polish People's Army.

[Answer] You cannot talk to me as a journalist, because I am no longer one. I have changed professions.

[Question] But you are a journalist by calling, temperament and education.

[Answer] Not really. As far as education is concerned, I am almost an engineer. I have 2 years of engineering college behind me. Flight engineering. Afterwards, I changed the direction of my studies and completed Polish studies.

[Question] You, however, studied journalism at an American university, and then spent 5 years as a PAP correspondent to the United Nations in New York. Your many years of journalistic experience with ZYCIE WARSZAWY, the Polish agency INTERPRESS, ZOLNIERZ WOLNOSCI, PRZEKROJ, etc., however, and your familiarity with international affairs certainly come in handy in what you are now doing.

[Answer] It is true that I worked for a relatively long time in the United States, but my specialty was in international relations overall. I was equally concerned with Asia and also found the German problem to be interesting. However, what I now do is not exclusively tied to international affairs. The team of people I now direct is concerned with everything which is important. We are only partially interested in international affairs and, again only partially, in domestic problems. Of course, the many years I spent in my previous career do come in handy, but only to a certain degree. The way one looks at the world, particularly political problems, is different for a professional journalist, and also different for a state official.

[Question] In what way different?

[Answer] Things look different from where I sit. They are much more complicated than they ever seemed.

[Question] Do you see politics in a much more weighted manner?

[Answer] Only as much as I have to. Besides, you have formulated the question poorly, inasmuch as I do not make political decisions in what I do. If we can call it anything, then I process information. I am not the only one, nor the most important element in this process. The issue of my journalistic temperament, which you brought up, is of secondary importance. I cannot even say whether I was drawn to writing.

[Question] Does this mean that your ability to express yourself is limited?

[Answer] Of course it is limited, because I cannot allow myself those things which would be permitted in the case of a journalist, reporter or publicist. This means that I cannot allow myself to be moved directly by an impulse, sympathy or personal antipathy.

[Question] Do you perform your duties with the premier in the uniform of a major of the Polish Army?

[Answer] I am basically a reservist, doing temporary service. I was and remained a second lieutenant almost a quarter of a century ago. I graduated from the Central School for Political Officers in Lodz; afterwards, I participated frequently in exercises. I was the commander's deputy for political affairs with the Tadeusz Kosciuszki 1st Warsaw Division. When martial law was declared, I was mobilized with the rank of captain; later I was promoted to major. I have been working in the Office of the Council of Ministers since October 1981.

[Question] Do you like being in the army?

[Answer] I am proud to be in the uniform I wear. I would not want to give it up. I am particularly personally satisfied not only by the fact that I wear the uniform of an officer, but also that I belong, because of this uniform, to such a group as socially efficient, idealistic and significant as the Polish Army.

[Question] You were a PAP correspondent in the United States during the Kennedy and Johnson administrations. Can you say anything about U.S. presidential advisors? Which advisors influenced how these presidents behaved or had an impact on state policy?

[Answer] Advisors are simply required by civilization. They can be found in the majority of the world's developed countries, including socialist countries. Simply for the reason that the increase in mass information has grown 150 times since the time before World War II, state leaders must have access to this information. President Nixon received 1 million words, or 30,000 typed pages, daily. Sixty percent of this information was secret. No one has the ability to read through so much material, let alone perform any kind of analysis, digest it and draw conclusions. Our situation is a little better, inasmuch as we do not have as many interests in the world. But it is not that much better. I am only talking about political problems as broadly understood. It is altogether different if we are talking about economic issues. Fortunately, these issues are the concern of a team of economic advisors who belong to the chairman of the Council of Ministers. There are other advisors as well, depending on the subject.

[Question] But you have your own team...

[Answer] I sometimes hear people ask whether this institution is an accidental development of the so-called "Parkinson's Law." I try to see to it that Professor Parkinson does not win with me. My team is small and I do not intend to restrict it too much, although we do have enough work to keep us busy. I will cite this example: through the room in which we are sitting we receive 1,000 pages on various subjects daily.

[Question] So your work consists of an initial selection of information at any moment?

[Answer] Basically not only of selection, but also of synthesis. This is not arithmetic, but algebra. If there then is a question with regard to what kind of impact advisors have on policy, there is only one answer: they should have no impact. They should only...

[Question] ...provide the most important information in "capsule form?"

[Answer] It is better if they analyze it. Of course, there are known cases when the advisors do influence the shaping of state policy. I need only mention Henry Kissinger and his real influence on the president. In the first place, however, no Kissinger "threatens" in Poland; secondly, it would be a contradiction in the way power is exercised in our system. The system is constitutionally, politically and systematically so constructed that it can exclude the influence of uninvited advisors and "advisors." No one here is allowed to play politics. Generally, we do not overestimate either my duties or those of advisors overall. This is simply a small organizational concept, and not much more.

[Question] Do you like your work?

[Answer] Yes, it is really a job which is enormously interesting and one which creates great personal satisfaction, but it also demands a great deal of time--to such an extent that during 1981 through 1983 I had virtually no free Sundays, let alone a Saturday off.

[Question] The pressure of events?

[Answer] No, rather simply the physical volume of concerns and issues which I have to settle. Fortunately, I am one of those people who are immune to the tempo of a job and its resulting stresses.

[Question] Let us switch over to the most general issues. What do you think is the reason that Poland has become the target of a particularly vitriolic and undisguised attack in the propaganda war the United States is waging against the socialist countries?

[Answer] The reasons are obvious. After the USSR, Poland is the most populated country in the Warsaw Treaty Organization. She is located in a particularly sensitive part of the European theater of military operations. As far as the enemy is concerned, he needs to analyze the terrain of future operations because of this fact. It is for this reason and this reason alone that we find "Radio Free Europe" and "Voice of America" playing a role; they are military staff centers. I believe in this definition because the programs of these loudspeakers, and there has never been the slightest exception in this, are subordinated to the U.S. military. He who pays sets the requirements. And he pays, as we know, a lot. There is space in Munich for any sentiment or view. Operational orders are simply executed there. That is the first reason. The second reason which leads to this special bigotry and brutality in anti-Polish Western propaganda, particularly American, is what happened in Poland: The United States suffered a clear defeat when Poland suppressed the counterrevolution. Simply put, they failed on the ground; now they are trying on the airwaves. Ultimately, however, it is the issue of the general concept of confrontation which the Reagan administration has adopted against socialism as a historic development. This administration is directly opposed to what two successive administrations, those of Nixon and Ford, and, to a certain extent, of Carter, stood for at the end of the 1960's and the beginning of the 1970's.

[Question] What are and should continue to be our tactics in resisting the aggressive propaganda of the United States and its allies?

[Answer] Very simple: patient explanation of what objectives are served by all of this nonsense which is disseminated by a portion of the Western press, "Radio Free Europe" and other propaganda agencies concerning Poland. This nonsense serves exclusively to disarm and stir up the Poles. Billions of dollars are not spent out of love for the Poles. As was recently proved, they never once encouraged or appealed to us to put down at least one brick decently.

[Question] One of the ways of counteracting the West's propaganda war is the planned press conference in recent years of the government spokesman, Minister Jerzy Urban, with foreign journalists. Can these conferences change anything with regard to what Western journalists write about Poland if we constantly deny what this press writes?

[Answer] I know in fact that a correspondent accredited in Warsaw will write one thing, but that the editorial staff in Paris, Bonn, London or New York will add something to it. However, the general policy of the Western press is centrally fixed one way or another. I will never allow myself to fall for the humorous garbage of "the freedom of the Western press." The constant and ineffective justification of this slander is calculated not to train any foreign journalists, but to show Polish readers how to shape foreign opinion. There was recently in a certain major Swedish newspaper a report on Poland in which a young lady had written quite naturally that during our country's martial law, football matches at Legia Stadium took place under the watchful gaze of tanks, placed in the stadium's corners.

[Question] Well, what do you say to this?

[Answer] One can do nothing, inasmuch as these papers never recant or correct the mistakes they have written. There are such papers: DIE WELT, QUOTIDIEN DE PARIS, and such journalists as the much-praised West German Stroehm, the Swiss Bruggmann, and the Frenchman Hugo Krassner; they have made their careers by besmirching Poland. Incidentally, it is a well-paying career which does not require any qualifications. That these conferences occur regularly I regard as the result of the good work of the Spokesman's Office and a great accomplishment of ours. The government's efforts are clearly made known in this matter. The spokesman has a forum from which he polemicizes and explains. This was never the case before in Poland. To be sure, government press spokesman's offices have existed before, but only now, in General Jaruzelski's government, has it become evident.

[Question] Can you tell us about your most dramatic adventure in journalism?

[Answer] Do, do not count on it. I have often described it in all of my books. I would be embarrassed once again to return to these adventures. I have had many of them, however, because I was a war correspondent in many countries. Overall, I have participated in nine wars.

[Question] A final question because I see you looking at the clock. What qualifications does your type of advisor have to have? What personal traits?

[Answer] Primarily diligence. That is the basic trait. Anyone who is not accustomed to heavy and responsible work is simply wasting his time here.

[Question] One has to follow systematically the course of events and be discretionary?

[Answer] One needs to be able to work long hours every day. An important trait is also skill in organizing your own and your team's work. Among other

things, it means being able to be a calendar and a clock with well-advanced precision. Deadlines, time and time...! I think that another such trait is being able to adopt to the personality of the premier and his manner of thinking.

[Question] All this leads one to think that you are grossly overworked, that you live in great haste and under enormous pressure. But you did know that this would be the case, didn't you?

[Answer] Of course. They do not drag you into this kind of work. I took it consciously during the country's most difficult period and I do not regret it.

[Interviewer] Thank you for the interview.

12247

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4 April 1985

POLAND

NEW TRADE UNION WEEKLY COMMENTS ON SEJM ELECTIONS

Warsaw ZWIAZKOWIEC in Polish No 4, 3 Feb 85 pp 1, 2

[Article by Kazimierz Kakol: "Concerning the Electoral Law Guidelines"]

[Text] When, nearly 15 years ago, I took the floor at the Third Plenum of the PZPR Central Committee to present my attitude to the electoral problems of the Sixth Sejm, I tried to answer the question of how to promote a situation in which citizens would regard voting as an important event for them personally, as an act inherently significant and not just a formal one, as a source of civic pride.

Today this question has lost nothing of its significance, even though it is posed under different circumstances. Then the difficulties were multiplied by the fact that after the December [1970] crisis all the leaders, including members of the Politburo, had severely condemned the electoral law then in force, but when election day came, the same discredited law was used, and its revision was delayed for an undeterminate period. Our present difficulties stem from more general sources, both ideological and political. An attempt to overcome them by means of the suggested modification of the electoral law might bring about some partial results only.

To make those results more substantial, we should--at least in my opinion--introduce some overtones of integrity and openness in our discussions (both public and private) about the electoral campaign and during the electoral campaign.

There is no reason to deny--as, for one reason or another, we are doing--that the electoral law which will determine the personal composition of the Ninth Sejm is supposed to safeguard the continuity of power in our country. Nowhere in the world are things done differently: nobody construes an electoral law in a way which would force those who dispose of a parliamentary majority and are in power to hand it over to their class or ideological adversaries. If some elements of the electoral system need modification, if--as just now in France--a proportional system is to be replaced by a majoritarian one, the guiding intention can easily be decoded: those in power wish to retain their power.

On 12 December 1981 the National Council of the Independent Self-Governing Trade Union Solidarity, dizzy with successes in establishing a state of its

own and convinced of its victory, passed a resolution demanding a popular referendum which would have, in its opinion, negatively settled the question of the continued survival of the sociopolitical system of socialism in Poland.

It happened 3 years ago. Emergency measures saved us on the very brink of the abyss. And today?

Today the organized political forces in our country have submitted to the Polish nation the question of a positive vote for the continued survival of the socialist system in Poland, for its development and consolidation through renewal.

The question has been posed squarely: only the forces of the Polish left can safeguard the elementary interests of the Polish nation. The response--in form of voting results in the people's councils elections--was unambiguous. Similarly unambiguous will most probably be the Sejm election results--this is a conviction based on multiple premises.

Such results include both the electorate's participation--the number of votes actually cast--and the voters' decision: acceptance or nonacceptance of the candidate slates. Obviously, those slates exclude people whose social activity is detrimental to our basic social goals and values. Equally obvious to all of us is the fact that the mode of candidate nomination, their public approval, their qualifications to be listed on the slate, have paved the way for some qualitatively new--compared to the past years--opportunities. This procedure will be still further consolidated during the approaching Sejm electoral campaign.

The approaching Sejm election will be the first one since the merger of the working-class parties in which the relationships between the party program and the electoral campaign will not be a direct one, derived from the sequence in which the party's elaboration of its program has usually been followed by the translation of the party program into the language of the electoral platform. What does this mean, in theory and practice? Is that the new way in which the party perceives its role in society and in the state? Does it mean a reduction in the aspirations of the leading political force? Or is it just giving up one of its more spectacular effects, and the search for new ways and means of influence--either more effective, or just the opposite? Is that the way to demonstrate the coalition character of the power? Is that the way to look for reconciliation and dialogue? Would not the party congress, until now a major event in the life of the country, lose its character, surrendering a considerable part of its substantiality to the Patriotic Movement for National Rebirth [PRON], and thus becoming just a statutory, intraorganizational event within the Polish United Workers' Party...?

The guidelines for the draft bill "The Electoral Law of the PRL Sejm" contain no answers to such questions and doubts (I am not personally convinced that delaying the 10th PZPR Congress beyond the date set up by the statute is either permissible or appropriate). They contain, however, many essential points, as far as both the future image of our parliament (its representative character, its political and professional competence and effectiveness) and its relationship with the broad community of voters and citizens are concerned.

For the first time the draft electoral law suggested the idea of two different kinds of deputy candidate lists: regional slates and district slates. The district slates, submitted by provincial electoral colleges, would include the names of those candidates who, thanks to their achievements and experience which predestine them to participate in the supreme representative body, have retained close ties with local, territorial organizations. The list submitted by the National Electoral Commission will contain names of candidates whose activities are concerned with issues which go beyond the local communities--the draft law would like to see such candidate slates shared by several electoral districts.

The draft authors should be recommended. They took a step forward to abolish a practice which has been frequently an object of derision, was rather ineffective, artificial, and as a matter of fact embarrassing to both parties, to the deputies and to their electorate--the practice of "parachuting" central-level candidates, and thus forcibly overwhelming with joy the "provincials," incapable of appreciating their good luck. But having recommended them, we should ask why they took just one step forward, but were not consistent to the end.

In the name of consistency and clarity, as well as of the political and psychological well-being of both the candidates and the voters, we should demand that the National Electoral College elect and submit candidates to be voted in from the regional slates; those candidates should be discussed, and relevant opinions or remarks about them aired at the pre-electoral conventions in all the voting districts; the number of deputies elected on the regional slates should then be proportionate to the percentage of actual voters in the electorate as a whole.

The concept just suggested, if approved, would mean determined acceptance of the plebiscitary character of the voting for candidates on the regional slates. The published draft has to a certain extent moved in the same direction: candidates on the regional slates, unlike those on the district slates, would have no alternative candidates running for the same mandate. Well, then. Since the first step has been taken...

From all points of view, the regional slates are purposeful and necessary. No parliament in the world can dispense with professionals in certain areas--lawyers, finance people, experts on international affairs or environmental protection, or economists. Parliamentary expertise is not a gift from heaven. Young parliamentarians (and let us hope that young people who, according to the law, have no right to fully independent decisionmaking in their personal affairs would not be endowed with the right to run our collective affairs or to steer the ship of state) should earn their parliamentary refinement, technique, and spurs through "apprenticeship" alongside those seasoned in many battles... But it would be better for all concerned if we would give up "parachute drops" as a way of promotion...

The electoral law guidelines include the trade unions among those bodies and organizations which have the right to submit names of people to be elected deputies on the district slates. It might be assumed that the trade

union, as an organization which has joined the PRON, would find a way to nominate trade union candidates to the regional slates as well. In that case the proper body to apply to would be the Executive Committee of the PRON National Council.

But there is no doubt that such initiatives will be accomplished by considerable perplexity. The reason for such perplexity lies in the future, still unknown fate of the Sejm's Socioeconomic Council. The council has just been set up by the vote of the Eighth Sejm. To a certain extent it has increased the representative character of the Sejm, serving as its advisory body. But it has not been legislatively underpinned. It is due to become extinct together with the Eighth Sejm. Will the Ninth Sejm set up a new Socioeconomic Council? What will be its composition, will its members be appointed or elected, how many of them, what will their powers be? Should not these questions be unambiguously resolved by stabilizing the council and endowing it with a greater scope of competence?

That would be another step forward toward innovativeness and consistency.

But the demand to list the names of candidates on the district slates in alphabetic order has nothing to do with innovativeness.

Let us put it bluntly. It does no credit to the election organizers when they wish to support a well-conceived, principled candidature through voters' passivity, inertia, or thoughtlessness... Alphabetic sequence would encourage choosing rather than voting. Besides, the responsibility shirkers on the electoral commissions have an excellent--though requiring some thoughtful effort--option: to select candidates in such a way that the alphabetic order would conform to the preferences desired... (The regional slates would be arranged according to preferential criteria only.) It should be kept in mind that the entire operation would concern just two people who run for the same mandate.

And finally, the secret balloting. Just as annual leave is a right, but an employee cannot give it up, nobody should have the right to give up his right to cast the vote behind a curtain. In a curtained booth the voter might just as well delete a name or not; the use of a curtained booth in no way determines the purpose of the act. But it should be done. Not for one's personal satisfaction. For the satisfaction of a system which has no need to be propped up by any spectacular or make-believe actions.

12485

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4 April 1985

POLAND

CZYREK SPEAKS OUT, RESOLUTION PRESENTED DURING CONFERENCE

Warsaw ZYCIE WARSZAWY in Polish 8 Feb 85 pp 1,2

/PAP report: "Societies' and Nations' Tasks in Defense of Peace, Security and International Cooperation; The Second Day of Conference of Representatives of the National Fronts from 18 Countries"

/Excerpts/ Referring to the theme of the meeting, J. Czyrek stated that the theme of assuring peace for the nations of Europe and the world is very much current and important. For several years we have been dealing with a tense and complicated world situation and an increasing threat to peace and international security. The source of this tension is the confrontational and militaristic policy of the USA and its close allies in NATO. An especially destabilizing effect on international relations is produced by the U.S. and NATO effort to change the existing world balance of power, which provided the basis for peace after World War II, and the attempt to gain a unilateral advantage over the Soviet Union and other socialist countries.

The Reagan administration's plan to use outer space for military purposes threatens to open another area for the arms race with unpredictable consequences. Also, the cause of peace and cooperation is not served by the imperialists' effort to question the Yalta and Potsdam agreements, which serve as the basis of peaceful order in Europe. While the rightist and conservative tendencies in Europe are getting stronger, the West German revisionist forces are being revived. The policy of confrontation with the socialist countries is accompanied by intensified U.S. activity in developing countries.

In the following part of his speech, J. Czyrek stated that the American confrontational policy creates ever more resistance and doubts all around the world. The enormous growth of the peace movement in Western Europe provides a visible sign of these reactions. Especially significant is the resistance against installing new American missiles in Western Europe.

The most important factor favoring an improvement of international relations is the firm and consistent policy of the Soviet Union and the socialist commonwealth.

The recent meeting of Andrey Gromyko and George Shultz, the agreement to resume comprehensive Soviet-American negotiations regarding nuclear and space weapons, constitute two important events opening up a chance to lessen tensions in the current international situation. American programs to obtain military superiority, however, continue without change. An intense effort for peace, relaxation of tension and disarmament is still essential and must be performed by socialist countries and all other forces for peace throughout the world. J. Czyrek also said that in this area a lot can be done by fronts and organizations represented at this meeting through mobilizing their own societies for peace and exerting influence in the international forum.

Later in his speech, J. Czyrek said that the basic conclusion drawn from our history is the dialectical unity of the national and international tasks of Peoples' Poland. We consider it our primary duty to involve Poland in the struggle for peace, relaxation of tension and international security. In the last few years, our country became the target of especially brutal attacks by the imperialist USA and its allies, which were manifested by illegal restrictions, breaking agreements, libelous propaganda campaigns, and attempts to isolate us.

Characterizing the activities of PRON, J. Czyrek emphasized that that movement has devoted its great attention to the integration of Polish society with the task of struggle for peace and against nuclear threat. The speaker said that we must inform working people that imperialist policies seriously increase the threat of war, that it is essential to mobilize our society in the defense of peace, and that the strengthening of socialist Poland, an unbreakable link of the commonwealth of socialist states, is in our own interest and constitutes an essential contribution to strengthening the peace and security of Europe.

PRON pays serious attention to the 40th anniversary of the great victory, which falls this year, over German fascism and Japanese imperialism. Our ideological and educational program points out the crucial importance of that victory for the creation of a world socialist system and the change of previous balance of power in the world.

Getting ready for a proper celebration of the 40th anniversary of that great victory, continued J. Czyrek, we wish to point out the long-term lessons and conclusions which are still valid.

In conclusion, the speaker stated that stopping the arms race, preventing its extension to outer space and forswearing weapons of mass annihilation, starting with nuclear weapons, is the way to security and reason. Separating ideological differences from interstate relations, building confidence in economic relations and abandoning

the policy of restrictions is the way to cooperation. Also, stopping the aggressive and libelous propaganda campaigns, stopping the attempts of ideological subversion, and substituting the education of societies for peaceful living is the way to get closer to each other, J. Czyrek said that we are convinced that the nations of Europe and the world have enough reason and sense of reality to return to the right approach, to rein in those politicians who forget it and to make it impossible for those would be leaders to lead us to mass suicide in a nuclear conflict.

Resolution

The participants in the fifth meeting of representatives of fraternal national fronts, movements and organizations from the socialist and friendly countries, holding their deliberations in Poland, a country which was so deeply injured by the tragedy of the most cruel war ever waged and whose populace called many times for the realization of the right to live in peace, conclude that the nations of the world are struggling ever more actively to preserve the peace, to prevent the arms race, against the policy of aggression and intervention in the internal affairs of other states. Also, those nations are becoming more united and are activating the peace forces of the world.

Despite all that, the feeling of being threatened and uncertain continues. The imperialist policy of confrontation dangerously aggravates the international situation. The realization of the threat of nuclear catastrophe is shared by the masses around the world and is beginning to penetrate more strongly into the thinking of politicians and statesmen in a growing number of countries around the globe.

We would like to believe, says the resolution, that the recent meeting in Geneva of the USSR and U.S. foreign ministers and the agreement regarding the new Soviet-American negotiations on nuclear and space armaments will lead to a break in the current dangerous impasse in international relations.

However, we also know that to reach that target there must be steady, incessant pressure from all peaceful forces on the ruling circles of NATO, and especially the United States, on behalf of realism and acceptance of equal security of all states.

The Soviet Union and the governments of all friendly countries conduct a steady peace offensive, advancing numerous initiatives and proposals aimed at bringing the international situation back to normal, restraining the arms race and developing a mutually beneficial peaceful cooperation and coexistence.

The participants of this meeting express their deep conviction that the 40th anniversary of victory over German fascism and Japanese militarism is an opportunity to remind the world of the historical importance of that victory won by the forces of peace and justice.

The fronts, movements and organizations represented at this meeting consider peace to be a supreme value and give full support to peaceful policies of their states and to all initiatives aiming at reinforcing the peace and international security, at creating trust in international relations, at educating societies in the spirit of peace, and at supporting international cooperation in all areas.

Condemning the American imperialist policy, aggression and interference, the representatives of fronts, movements and organizations of the socialist and friendly countries gathered at this meeting call on social movements in their own countries and in other countries of Europe, Africa, Asia, America and all the world to make an all-out effort for the international peace front based on the broadest possible social base which will permit the cessation of militarism and the drive to confrontation and will tip the balance in favor of lasting peace, relaxation of tension and international security for the sake of the most elementary human right--the right to live in peace.

8801

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4 April 1985

POLAND

DISCUSSIONS ON ELECTIONS TO SEJM CONTINUE

Warsaw PRAWO I ZYCIE in Polish No 7, 16 Feb 85 p 3

[Article by Ryszard Czerniawski: "Doubts and Hopes"]

[Text] Criticism of projects submitted for public scrutiny is a normal occurrence. The authors of the proposed solutions not only take this into consideration, but they also count on it. This is also the case in the current discussion on the proposals concerning the Sejm electoral law. They have already been a subject of discussion, among other places, at the PAN [Polish Academy of Sciences] Institute of Law and Government. Last week a similar meeting was held at PRON [Patriotic Movement for National Rebirth] National Council headquarters.

Last year I opened a meeting of this same group concerning elections to the people's councils, and at that time expressed my opinion that it would be somewhat of a ceiling for democratization of the electoral law under the existing political situation. In my opinion, this proved to be true. I also believe that this represents a widespread view, inasmuch as before the elections there was mass and fervent discussion of the regulation proposals. Now the public treats the matter with greater indifference and in the PRON ranks we see a great deal less enthusiasm for discussion than there was last year. There must be a reason for this.

Prof Mikolaj Kozakiewicz's opening address was short. Those of the other participants were a little longer, but rarely lasted over 10 minutes. This limit on speeches was adopted in the PRON Central Debating Club. Despite the fact that this concerned the Sejm electoral law, the subject matter was endless and everyone was able to say everything he wanted to. In general, the submission of candidates as delegates is not only dealt with in section 5 of the proposal entitled "Candidates as Representatives," but also in section 4 dealing with electoral convents.

Dr Zdzislaw Jarosz, however, declared that he would not use, as he defined it, such a religious term, since the term "collegia" used in the people's council electoral law had already been accepted.

However, let us put these terminology issues aside. The fact is that the role of both bodies is similar, which does not mean that it is the same. The tasks of the convent proposals are enumerated in several points. In accordance with them the electoral convent accepts as candidates for delegates those individuals submitted by the authorized organizations; it established the lists of individuals which will be presented to the voters as their candidates for delegates; it studies voter comments and opinions submitted during the presentation of the list of candidates. In addition, the convents appoint their trusted members to an electoral committee, the Polish Electoral Convention, which issues the guiding principles concerning the manner of submitting candidates as delegates.

Dr Barbara Zawadski expressed reservations to this latter proposal. In her opinion, these guiding principles would be defined by the law. She was not the only one whose doubts were provoked by the role of the pre-electoral meetings where candidates were presented. In accordance with the proposals, the electorate should only have the right to express its opinions and comments. Present councilors should have won the support of their constituents while still candidates, whereas it will be sufficient for future delegates to present themselves to their electorate.

Before a candidate for deputy can be presented to his electorate he must be proposed for candidacy. Regulation proposals specifically define the subjects authorized for this. In Dr Jarosz's opinion, who compared this entry with Article 100 of the Constitution, it is sufficiently precise. At the same time, he recalled the concepts presented by Wladyslaw Gomulka, that the list of candidates be accepted by a broad and representative group of representatives of various social organizations and groups.

As could be expected, many comments concerned the electoral register and the voting procedure itself. The proposals suggest two types of lists: local and regional. Admittedly, we cannot identify the criteria for dividing the country into regions, but if this proposal were to be adopted then perhaps for the first time in history we would have both local and regional representatives.

The principle of preference, that is, candidates occupying a higher place on the list, would be retained. It appears, however, that the principle of equality should apply not only to the electorate but also to the candidates themselves. Placement on the list is determined by the convents, for example, in the case of a local list where there were two candidates for one seat. Putting Kowalski's name first would be sufficient for the voter. A boxing judge would declare this a tie with the bout awarded to Kowalski. And the retention of the principle that if someone does not vote for either candidate the vote would go to Kowalski does not give both candidates a fair chance.

Prof Stanislaw Gebethner proposed another solution, namely that "During elections we should not declare our opposition to candidates we do not like, thereby giving them a vote of no confidence, but instead select the

best one. We must rapidly advance to a procedure of positive voting, similar to the system in Hungary and Cuba, which obligates one to indicate the candidate one is voting for."

Dozens of different proposal variants suggested did not arouse great interest among the participants. Everyone agreed that they concerned secondary matters.

Nor did Dr Jerzy Swiatkiewicz's proposal concerning increasing the number of lawyers in the Sejm as well as in the people's councils stir up great interest. It is a pity and not because of the fact that PRAWO I ZYCIE acts as a figurehead for the Polish Lawyers Association. As J. Swiatkiewicz noted, there are people's council law and order committees in which there are no lawyers. In any case, without searching far it is apparent that lawyers are in the minority even in the Sejm Commission on Legislative Matters.

Since we are discussing representation, opinions were also expressed concerning the fact that young adults represent over one-half of the population. The opinion calling for defining the age limit for assignees also corresponded to this.

The people's council electoral law established a new institution which consists of the voter's right to submit a protest insofar as violations against the electoral process or the electoral law are concerned. These institutions have certain views, but do not share the same ones. They anticipate that, besides transgressions against the electoral process, the basis for protest can only be the violation of some portion of the election laws, especially those concerning voting and election results. It is not known where this restriction came from. On the whole, it is unfortunate that the chairman of the people's council or at least its legal representative were not present. Overall, the participants were only able to surmise the reasons for this explanation rather than another one.

The last section of proposals concerns the termination of the mandate. It settled the question concerning the recall of a deputy, which together with the proposal on organization of additional elections was defined by Dr Barbara Zawadski as two advantages of the electoral proposals. The existing electoral law has led to a situation whereby those occupying delegate seats were only elected by a small percentage of the electorate.

However, the discussion did not deal solely with specific issues. It was not by accident that in addition to the lawyers, both politicians and political scientists were invited. Elections represent not only a legal act but also a political one, which occurs under specific social and economic conditions. The majority of the participants realized this. As Dr Pawel Gieorgica noted, the path stipulating significant reform of the law has not been successful. Analogies proposed regarding the people's council or Sejm electoral law represent a bad starting point, because of the difference in the political level of importance of the problems. Therefore, it is impossible to be surprised by the conservative character of the proposed solutions.

What should the PRON's role be? Is it accomplishing its job as the spokesman for public opinion? In Halina Kossobudzki's opinion and that of others, the answer is no. The PRON has not fulfilled its basic task of encompassing the entire population, which is divided by class, strata, and in its aims and aspirations.

In concluding the meeting, Prof Mikolaj Kozakiewicz responded to an earlier question of whether it was really worthwhile to discuss the proposals.

"It is worthwhile, even if only for the reason that such discussions are possible following 1980. This represents a systemic change. The effects of this discussion represent quite a different matter."

Will the meeting in the PRON club stimulate discussion on the Sejm electoral law proposals? Up until now they have been overshadowed by the consultations on food price increases. However, this has now ended. Therefore, we can hope that the proposals will evoke a degree of interest corresponding to the importance of this document.

12229

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POLAND

CHANGES IN INTERNAL MINISTRY, WORK OF COMMISSION DISCUSSED

Warsaw DZIENNIK LUDOWY in Polish 28 Jan 85 p 3

[Interview with Sejm Deputy Zygmunt Surowiec by Janusz Czernikiewicz:
"According to the Principle of the Open Curtain"]

[Text] [Question] As a deputy you have been a well-known figure in the Sejm for many years. You are not only an activist on behalf of the ZSL and the leader of its deputies' club, but also a member of three commissions, one of which you lead, the Commission for Internal Affairs and Administration of Justice. Let us say it openly, this is a difficult subject, the internal affairs of the nation and the functioning of the judiciary system....

[Answer] We have plenty of work in the Sejm, but all the deputies feel this. In this eighth term the PRL Sejm has taken up various initiatives and legislative work, most connected to what we call the post-1980 socialist renewal. Outside my activities on the Commission for Internal Affairs and Administration of Justice, I am the assistant leader of the Commission for Constitutional Responsibility, and a member of the Commission for Legislative Work. On all of these commissions I try to apply the knowledge I acquired at the Law School of Wroclaw University, and experience I gained in later work. Most of my attention is devoted to the Commission for Internal Affairs and Administration of Justice. I must admit that the matters we address are indeed difficult.

[Question] I have read the transcript from the commission's meeting of 12 December. The commission was evaluating cadre policies and the system for training functionaries of the MSW [Internal Affairs Ministry]. In my own way I consider this material a revelation. I ask in which country and in which parliament can one discuss the achievements and problems of major ministries so openly?

[Answer] Let us add "... especially in the current social climate caused by the abduction and death of Father Jerzy Popieluszko." But I will again permit myself to speak publicly about my views. This solitary negative incident cannot overshadow the social value of the work done by the people employed in the Ministry of Internal Affairs. Exceptions may be found in any community, even the religious. What are the ramifications of this openness? The basis for our work in the Sejm is activity in accordance to the principle of the

"open curtain." Of course this service--I am thinking of MSW work--has and must keep its professional secrets. Control of the mechanisms of MSW activity does not violate these principles. This is how work started on 12 December for the Commission for Internal Affairs and Administration of Justice. It expressed itself in a discussion with the participation of Vice Minister Konrad Straszewski and a group of his coworkers, then a trip by the deputies to the MSW training cadres. Presently, in January, we will express our opinions on that subject.

[Question] But the average citizen is interested in what we call internal law and order, and evaluates the people responsible for it on the basis of individual experiences or often dangerous generalizations.

[Answer] Yes, this is true around the world. Let us remember that in the present circumstances this ministry is on the front lines, in terms of the struggle with crime and the activity of the underground. All who see the situation soberly know that the Ministry of Internal Affairs is there to protect the social system, the government, socialism, the health and property of the citizens. That is why the commission has been investigating the status of professional requirements, professional training, the moral-political stance of the SB [Security Service] and MO [Citizens' Militia] functionaries. On this subject, as the leader of the Commission for Internal Affairs and Administration of Justice, I receive many letters. Some of the authors doubt that the Sejm can effectively control the Internal Affairs Ministry; they ask what is happening with this supervision. But I cannot convince those who will not believe. Perhaps this lack of faith is the result of the lack of trust in the aforementioned communities? Perhaps it is due to the fact that parliamentary control has no influence over isolated incidents?

[Question] Since we are talking about it, does the MSW have its own system for internal inspection of personnel, and evaluating the citizen-functionary interaction?

[Answer] Yes, it has. Such inspections are done regularly and their results are used to improve qualifications and increase the work on the moral stance of the functionaries. There is no need to conceal the fact that our commission sees the purpose in the continuing intensive elevation in the level of the line functionaries; the execution of the law according to accepted methods, detailed regulations, and that which is called a high level of culture.

[Question] As far as I can remember, General Kiszczak, minister of internal affairs, stressed this during a well-known television appearance. This occurred before the meeting of your commission on 12 December, but after your inauguration as the leader of the commission by First Secretary of the PZPR Central Committee and Chairman of the Council of Ministers Wojciech Jaruzelski.

[Answer] Yes. The management of the Internal Affairs Ministry has been conducting the process of self-cleansing in the ranks of the MSW for many years.

Proof of this is the fact that in the last 2 years 2464 functionaries have been removed from the ministry. Higher standards are required of candidates for service in the ministry. It will not be undiplomatic to say that the problem of professional ethics in functionaries of the SB and MO as evaluated by the deputies was the subject of discussion during my meeting, as leader of the Commission for Internal Affairs and Administration of Justice, with Gen Wojciech Jaruzelski. The Central Committee first secretary was interested in how the Sejm's inspection was progressing, and in the commission's comments about the ministry. We spoke about the trial, which as we all know is going on in Torun; about that which occurred and how it was aimed against the basic interests of the nation and the government, against the line of renewal. This conversation took place after the Seventh Central Committee Plenum at which problems that also are the subject of interest to our commission were discussed.

[Question] How many persons are on the commission? How often does it meet?

[Answer] The commission consists of 31 persons, of those 14 are members of the PZPR Deputies' Club, 11 of the ZSL Deputies' Club, and 3 are from the SD Deputies' Club. There are two unaffiliated deputies on the commission, and one who represents the PAX Society. We meet at least once each month. Please remember that in addition the deputies are burdened by work on other Sejm commissions.

[Question] Do we dare to sum up the ongoing 4 years of work of the Commission for Internal Affairs and Administration Justice in a somewhat synthetic way?

[Answer] The commission concerns itself with eight basic subject groups: the function of the minister of internal affairs, the Office of the Minister of Justice, the prosecutor general, the Supreme Court, the Main Administrative Court, the Office for Veterans' Affairs, the Office of Chief Censor for Publications and Exhibitions, and the State Economic Arbitration Board. In the Sejm's current eighth term almost a quarter of the laws were connected with our problems, and at that time the commission became comanager of the subject of discussion.

On Wednesday, 23 January, the commission met for the 128th time during this Sejm term. In the upcoming months, we will be working on matters connected with the function of notaries, with a draft law on judging work, consider the information about the situation and life in the veteran's community, punishment through imprisonment, and the realization of a law concerning legal advisors. We are counting on three draft laws arriving in the Sejm during this half of the year, laws in which our commission is interested, laws which concern the organization of the common courts, the Prosecutor General's Office, and possibly the Office of the Minister of Justice.

[Question] Summing up the work of the commission during the eighth session of the Sejm....

[Answer] The commission has considered 35 different draft laws. Let us remember that the commission has the duty to realize these laws. The

commission has fulfilled its duty and will continue to do so in the future. Among other things, the Commission for Internal Affairs and Administration of Justice has controlled some important, from the social point of view, laws, such as the law concerning passports, the law for curbing speculation, the law concerning lawyers, legal advisors, the law on the Office of the Internal Affairs Minister and its subsidiary organs, about the protection of national and professional secrets. We have repeatedly evaluated the situation in the realm of public law and order, and crime. As a result of the analysis we formulated desiderata and opinions directed at the correct appropriate organs, most often the administration. The explanations and answers thus obtained are again considered by the commission at its meetings.

[Interviewer] I'd like to thank the deputy for an interesting interview.

12411

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POLAND

INCREASED COOPERATION WITH LATIN AMERICAN STATES NOTED

Warsaw TRYBUNA LUDU in Polish 21 Jan 85 p 6

/Article by Zdzislaw Antos: "Bridge Building"/

/Text/ The last months of last year and the first months of this year have been marked with lively high-level contacts between Poland and Latin American states: Stanislaw Gucwa paid a visit to Argentina; Janusz Obodowski to Cuba and Mexico; Roman Malinowski to Nicaragua; Mieczyslaw Rakowski to Panama, Nicaragua, and Cuba; and Stefan Olszowski to the latter two countries and Argentina.

I have observed the course of our foreign minister's visit to Argentina. It confirmed the existence of mutual attraction and friendliness and showed the convergence of political views and the willingness to deepen cooperation in all spheres.

The minister has signed the first ever Polish-Argentinian Cultural and Scientific Cooperation Agreement. A visible sign of this cooperation were the visits to Buenos Aires by Witold Rowicki and by Tadeusz Kantor with his world-known theater that took place at the same time.

The Polish presence in the economic sphere was emphasized by a group of Kopex experts supervising in Rio Turbio, in the far south of the country, the installation of another shipment of equipment for a coal washer of our design. On the other hand, a delegation of the Polish Steamship Company /PZM/ came to Buenos Aires to see progress on the eight ships the Argentinian shipyard Astilleros Alianza S.A. has been building for them. Six of these ships will be 26.600 DWT each and two 61.000 DWT each. On this occasion, I met Wilhelm Kronfeld, PZM chief engineer, who had just come from a test voyage of the "Ziemia Chelminska" and expressed his approval of the work done by the Argentinian shipyard.

Some weeks later President Raul Alfonsin personally took part in the ceremony of giving names to two other vessels built for the PZM by Astilleros Alianza S.A. On this occasion, he stressed the wish of his government for Polish-Argentinian economic relations to develop as intensively as possible.

More or less at the same time, on the other end of the South American continent, the president of Mexico, Miguel de la Madrid, also personally opened the first

joint CEMA exhibition in that hemisphere and in the West, organized upon the request of Mexico. Somewhat earlier the Cuban capital hosted the CEMA summit, at which representatives of the economic organizations of the continent--the UN Latin American Economic Commission and the Latin American Economic System--were guests.

The common denominator for all these facts is the political willingness of both sides to develop economic relations. On the part of the capitalist countries of Latin America, it is an expression of independence of these countries and a symptom of their awareness of the fact that their interests are not fully convergent with those of their main trade partners--the highly-developed capitalist countries. Enormous debts of Latin American countries owed to these countries create understandable impulses to look for new forms of cooperation and new trade partners.

The socialist countries recognize the postulates of the Third World countries aimed at introducing a new economic deal in the world, which, among other things, would make it possible to stabilize raw materials prices and maintain their fair relation to prices of industrial products. We also support Latin American countries in their opinion that a solution of the global debt crisis requires reforms in the world monetary system, elimination of protectionist barriers, new credits, and lower interest rates. Our standpoint was expressed by Minister S. Olszowski in his speech at the session of the United Nations General Assembly.

Poland has additional important reasons for tightening its economic ties with Latin American countries, as they oppose mixing politics with trade and renounce the use of economic pressure and sanctions to force political concessions. In the past, these countries themselves often suffered as a result of such actions, illegal in terms of international law, taken by imperialist superpowers.

Both sides are interested in cooperation, but at the same time problems arise that have to be solved. A remedy for lack of foreign exchange currency may be compensatory agreements. They amount to determining lists of goods both sides agree to exchange, fixing the yearly turnover, and assuming that they should balance. So far in our trade with Argentina and Mexico we have had debit balance. Such agreements will provide a natural stimulus for our trade partners to increase purchases in Poland.

Another problem in developing our trade with these countries is the lack of data about the market, its production and trade capacities, and some regionally specific preferences and traditions. The main trade partner of Mexico has for a long time been the United States. Its trade with this country accounts for two-thirds of its total foreign trade turnover. The CEMA exhibition enabled the socialist countries to present their offer using the best method--by showing exhibits. Half a million of visitors, favorable coverage by the Mexican press, and above all numerous talks with potential buyers seem to indicate that a big step has been made to open this market to our Polish expansion.

Needless to say, costs prevent us from having such exhibitions everywhere we want and all the time. In everyday practice, it may be our trade representative

abroad and traveling agents who will pave the way for our products to new markets. Numerous financial stimuli were created last year that should encourage our traditionally Europe-oriented enterprises to assume the offensive on Third World markets. It seems that the prevailing opinion is that permanent trade offices abroad should be strengthened with more personnel, since otherwise it will not be possible to pave the way for our products to new markets.

A telling example is the GDR, which in its Mexican trade office has as many people as we have in all our trade offices in Latin America (with the exception of Cuba).

Developing economic expansion will take place in a period of time that is not favorable for us. The world recession brings about increasing competition and the demand of our absorptive domestic market in Poland will not encourage some enterprises to fight for foreign markets. It must be borne in mind, however, that Latin America is for Poland an important source of the raw materials, food, and fodder so indispensable for us, and as the Argentinian contract with the PZM shows, it may also be a serious good partner in the exchange of industrial products.

12607

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POLAND

JOURNALIST LAMENTS SLOW PROGRESS TOWARD ECONOMIC RECOVERY

Warsaw PRZEGLAD TYGODNIOWY in Polish No 7, 17 Feb 85 p 3

/Article by Stanislaw Albinowski: "The 7th Year"/

/Text/ We have entered the 7th year of economic crisis. This phenomenon is without precedence in modern history. The "great crisis" of the 1930's, which came to be the death-knell of so-called free market capitalism, lasted 6 years. Measuring the dimensions of this economic breakdown by the amount of industrial production on the scale of the whole capitalist world, the lowest drop took place in the 3d year of the crisis and amounted to 33 percent. Later, during a period of state interventionism and an already functioning system of "safety nets" in the area of stock exchanges, banking and credit accounts, this never happened again.

In our crisis, the "bottom" was reached in the 4th year of its duration, and the greatest drop in net industrial production and national income amounted to about one-fourth of that reached in 1978. If before midcentury the capitalist countries were able to recover their losses in the 7th year after the onset of the crisis, then we, also in the 7th year of crisis, are still rather far from this point. Many questions emerge here, for example:

--Why are we coming out of the crisis so slowly?

--What point are we actually at and what perspectives do we have?

--What should we do?

A full and well-documented answer for each of these questions would require a separate treatise of considerable length. The framework of this text barely allows for an abbreviated outline.

First of all, it should be noted that these crises are not comparable in their essence. If at the bottom of crises in capitalism there lies, to put it simply, an excess of supply relative to actual demand ("crisis of overproduction"), then with us the opposite phenomenon appeared in vivid form: an excess of demand

relative to supply, taking on the form of a tremendous shortage of so-called supply materials and consumer goods, both food as well as durable goods. Is it really easier and faster to deal with imbalance based on excess of supply than on shortage? There is some truth to this, but not the whole truth and not the most important one. The most essential thing, in my opinion, is something else. Based on the example of the capitalist countries, we have become accustomed to treating a crisis only as the disruption of the development process. We have failed to notice, however, its "cleansing" and regenerating functions.

Every passing crisis has a structural basis to a greater or lesser degree. The breakdown of the balance between supply and demand also means that superfluous products have appeared in supply, having been produced despite the needs of the market either in too great quantity or at too high prices or, finally, not in the variety expected by the buyer. Every crisis, then, ruins those enterprises that produce "in spite of" or "alongside" the market. This brings about unemployment, causes a drop in demand for capital goods, and these elements set chain reactions into motion as a result of which actual total demand decreases. People "tighten their belts," and buy less of even those goods that are truly necessary for "normal" life.

In capitalism before World War II, these reactions proceeded to take place with unusual outright brutality and ruthlessness, and the cost of the crisis fell above all on working people. In this case, the "cleansing" process and the adaptation of economic structures to new conditions proceeds quickly, however, for nothing slows it down but the degree of flexibility in the existing economic system. This latter element is an important reason why some countries come out of a crisis more quickly and others slowly. The "great crisis" was an excellent example of this phenomenon, and also the confirmation of the thesis that the motivating power that stimulates an economic situation has always been and is always so-called new industries. In the 1930's, the motivating forces were the chemical, aeronautics and shipbuilding industries, and certain branches of the machine industry. It was not raw materials and traditional wares, but innovations, manufacturing industries that supply new products, creating demand, that brought the economy out of crisis.

The entire mechanism, presented here, I stress again, in greatly abbreviated and simplified form, works in an economy in which the check on development is demand. In Poland, the check instead is supply, or more precisely, the quantity of supplies at disposal. If other mechanisms acted which led to the crisis, then this undertaking requires the application of such methods as are specific for our economy and its organizational structure. Nonetheless, the same two elements appear in both cases. One of them is the method by which the costs of the crisis are "discharged," and the second is the flexibility of the economy's structures. Both these factors act to prolong the crisis in our country.

The great majority of society has worked hard and self-sacrificingly for 35 years. Surely they did not cause the crisis. At its foundations lies the erroneous or outright suicidal economic policy of the 1970's and an ineffective system of economic functioning. Nonetheless, no one else but society can and

must bear the costs of this crisis. No one among us will pay off those billion zlotys drowned in "unsuccessful" investments and wasted by excessive consumption of materials and raw materials. After August 1980, the authorities attempted to lessen the burden of the crisis and distribute its weight in accordance with the sense of socialist justice. This operation, however, was not entirely successful. Raising prices along with simultaneous, although only partial, compensation "revealed" that the living standard in society fell by at least 30 percent, and thus more than the national income, but it did not, however, restore a balanced market. What is more, they unleashed an inflationary spiral. We thus continue to have imbalance, and on the consumer market it is shown by the fact that there continue to be too few goods relative to the amount of money in the hands of the population. And one condition for overcoming the crisis is precisely that of achieving balance. The crisis is, after all, nothing more than the result of its disturbance.

The second element is the flexibility of structures. The degree of flexibility in our country is for all practical purposes zero. This is a result of two main causes. In the short term, the flexibility of production structures depends on temporary standstills or the outright elimination of those enterprises that do not produce what is most needed during the given crisis phase, or produce inefficiently. (A myth exists among us that every rise in production is desirable. Nothing could be further from the truth!) We never resorted to such a solution since its consequence would be unemployment, which is all the more threatening in view of the fact that the mobility of the work force is minimal. In the long run, on the other hand, the flexibility of production structures depends on the ability to change directions in investments; at the same time, two equally important aspects of the problem appear: sectoral and material structure. The first requirement boils down to investment in production that quickly turns a profit and brings about a restoration of balance, and the second involves putting the main pressure on expenditures that increase production efficiency. It is known, however, that after 1980, in spite of many central decisions, neither of these two requirements were fulfilled. Thus we continue to have the old production framework, the same one that was decisively instrumental in the crisis. Under these conditions, how can we quickly overcome the crisis?

Of course, the two elements named above do not exhaust the problem. A full analysis of the situation would also have to take into consideration many others, above all sociopolitical ones. These elements operated in various directions; on the whole, however, they delayed the process of getting out of the crisis, and their cumulative effect acts in an inhibiting way to this day. Nonetheless, even if other elements did not appear, then the two elements I named above would be enough to inhibit the process of getting out of the crisis. All the more so given the fact that such an economic and social situation did not create conditions conducive to the implementation of economic reform. Exaggerated hopes were attached to it; today we still hear--such erroneous!--assertions that the "reform is our only chance." In the meantime the reform means, after all, "only" a process of introducing a new system for the functioning of the economy that has as its goal to increase the efficiency of enterprises' economic activity. Will putting in new gears, however, suffice to transform an obsolete threshing machine into a self-propelled combine

harvester? So we did not attain the expected results in this field and it can be proved that with the current economic policy their attainment is possible only to a small degree at best.

Since this new system of economic functioning is in effect, has it brought about an improvement in efficiency, is it leading the country out of the crisis? What will help the best system of economic functioning if there is a deficit of raw and other materials for the most needed goods? How does this system operate if enterprises have already begun, by raising prices, to transfer the costs of their uneconomical management on to the buyer, if they invest more than they can and, in addition, in a way that violates the principle of rationality, if even television must make an appeal to undertake the production of technically and practically sensational goods which were invented and patented in Poland? How does this system operate if all the enterprises submit sky-high, absurdly huge requests for, e.g., energy in the coming years, but no one is planning investments to lower the individual utilization of energy? Yet this is precisely the heart of the matter--the individual use of energy and materials. Incessant pressure for new raw material investments arises from this, and here lies the deepest cause of our economic imbalance.

Actually, our only chance is our central economic policy, as bold as it is rational and consistent, which in leading inefficient and anachronistic production frameworks to change will at the same time create feasible basic conditions to activate the reform successfully.

Let us reflect now on where we actually stand and what our perspectives for the future are. In September 1984, at a meeting of the Sejm Commission for Planning, Budget and Finance, Deputy Chairman Manfred Gorywoda declared: "If everything goes well this year and next year's plan is realized, then by the end of 1985 the generated national income will be 11 percent lower than in 1979, and the income before its division as a result of liabilities in foreign debt will be 15 percent lower." This statement, which only ZYCIE WARSZAWY cited (on 26 September 1984), surprised and disturbed many people to the greatest degree. Many acquaintances asked me: Is it that bad? When will we get out of the crisis then?

I am leaving out here a possible "fudging" of the growth rate, which emerges from the change in the fixed price base after 1980. I must, however, call attention to several other elements. And so for the base year for comparison one should take 1978 and not 1979, when income had already decreased by 2.3 percent. Besides this, serious doubts arise from the recently accepted rise in income in 1983 by six percent, which I wrote about in greater detail in the pages of TRYBUNA LUDU on 31 January of this year. Finally, from the point of view of the level of development, what is essential is not so much the total amount of income but its recalculation for a single resident.

Taking into account these reservations (but with the 6 percent growth rate in 1983), I came up with the result that at the end of 1985, in comparison with 1978 and recalculated for one resident, generated income will come to about 81 percent, whereas adjusted for debt liabilities it will be at 73 percent. It will thus be lower by 19 and 27 percent, respectively. This is the way the situation appears in the 7th year of crisis.

One can say that such is the price of the irresponsible economic policy of the 1970's. But one can also ask the question: Would not a different development strategy be capable of making it possible to overcome the results of the crisis more quickly? Please do not expect me to give an answer here and now as to what this "different" strategy should be based on. In the course of the last 5 years, I have composed about 700 typewritten pages on the topic which either went into print or to the appropriate government organs when I was asked or summoned to prepare such expert appraisal. We have already entered the 7th year of crisis. It is high time to think about the most effective way of overcoming this general incapacity and extricating ourselves from the crisis.

12635

CSO: 2600/622

POLAND

ECONOMIST EYES POLITICAL DYNAMICS IN ECONOMIC REFORM FIGHT

Warsaw PRZEGLAD TYGODNIOWY in Polish No 3, 20 Jan 85 p 3

[Interview with Doc Dr Hab Cezary Jozefiak, Institute of Political Economy at Lodz University, coauthor of the economic reform assumptions, by Andrzej Polakowski]

[Text] [Question] Within the realm of various opinions concerning the current phase of the economic reform, which reveal a kind of helplessness in reaching a decision, there are also valid and valuable views. Their authors voice them publicly and afterward wash their hands of them as if to say: "We are right but let others make mistakes." This is the impression that I got listening even to those who have had and have a direct influence on the current situation.

[Answer] I myself have many reservations but I do not deny that I have had some influence on the formulation of the directions of the reform. As early as 1980 we prepared a draft plan in the Polish Economic Society which was later published. Afterward, I was part of the Commission for Reform Matters--the one which by mutual agreement was later called a "government" commission. When the "Basic Assumptions" were announced and outbursts of anger were hurled against its authors--therefore, theoretically this also includes me--I too was not satisfied with the substance of the document. I resented the fact that it strayed considerably from the variant which was frequently analyzed at the commission's meetings.

[Question] You are suggesting, then, that concrete decisions were made in an autocratic manner without the participation of the wider body of "molders" while critical remarks were ignored?

[Answer] In a certain sense, yes. More precisely, however, I feel that pertinent comments were heard. Besides, there were many times that we argued and still argue because of differences of opinion. However, opinions which are given recognition at first are often later not taken into account. Nevertheless, as a result of the overall dissatisfaction with the first version of the reform, an eight-member group was appointed over 3 years ago, of which I was a part. Our accomplishments, which in part verified previous decisions and which were a kind of compromise between various stands, appeared--following corrections made by the commission--as the "Directions of Economic Reform."

[Question] This, of course, does not mean that then and now, when we have made progress in the implementation of the assumptions, everyone's opinion has suddenly become unanimous.

[Answer] Of course not. Even the issue of what the economic system after the reform should be like continues to be controversial. What is of particular concern is the relationship between the market and the central plan. Simply put: Should prices for the most part beset administratively and serve the central plan or should they be determined by the market whereas the central plan, in honoring market prices, would determine only the economically and socially most important total ratios? Personally, I am for the latter solution.

[Question] However, changes and innovations made, so to say, in the process cannot be excluded. Reform is a complicated sociopolitical process which we must learn through trial and error. However, such steps are never without pain and require modification resulting from current experiences.

[Answer] Agreed. I am not at all insisting on theoretical variants which do not stand the test of time. Our experiences and those of others, for example, the Hungarians, are constantly growing richer. They have to be taken into account. However, there are also issues which have been glaring for a long time but which are not being solved. This includes the necessity of a far-reaching organizational and functional restructuring of the central administration. In the last report of the Economic Advisory Council, the opinion that "the resistance of organizational structures had been underrated" was found to be interesting, as always. But who underrated it? After all, it is a known fact that those who did give it proper recognition were reprimanded by the representatives and spokespeople of the central administration for thinking up new problems. Later, the matter took such a turn that the central administration itself acquired exclusivity over deciding the course of the reform. Various official social bodies often frown upon the administration but in practice no one corrects or hurries it, while appeals to it rebound from a wall of habits and interests. Various inconsistencies and even aberrations which concern the reform have their basis in ineffective management by the administration, which has a tendency to lean in the direction advantageous to it, which should not be surprising.

[Question] Just a minute. What happened to the said "molders," if I may use this agreed-upon term, and initiators of the new system; with the task group of Minister Wladyslaw Baka and his team of advisers? Is it possible that they would stand by looking idly at what is being done to their concepts? I believe I am correct in thinking that usually it is they and not the administration that are held accountable for the effects of the process of reforming the economy.

[Answer] Those who are far removed from authority are rending their garments. Those who are close criticize cautiously and make appeals. Under the banner of giving something thought, they frequently also agree

to partial solutions which constitute concessions in reality. As an example, let us take this year's law on the Planning Commission. This was to be an analytical-planning agency. However, the law gives it all the powers of a superministry. In addition, the Planning Commission has been given the right to propose changes to the government in the system of economic functioning. When the administration is in the process of "self-improvement," instead of reducing, it always increases its powers. Let us note that when the Planning Commission plans institutional changes, these are not ordinary proposals such as the material of the Polish Economic Society.

Incidentally, the law foretells a short-lived future for Prof Baka's office, and in any case it decreases his influence on the course of the reform even more.

[Question] There are more inconsistencies resulting from the hermetically outdated, inflated structures of the state administration. Despite this, we have not as yet seen the promised changes.

[Answer] In KIERUNKI, this was formulated clearly--that we should have changed this structure as early as in 1982. I brought this up again at the June session of the Reform Commission by calling for the so-called directional thesis, from Prof Baka's report, of not changing the structure of the central agencies but only adapting their functions. In response, I heard that this is how it will be only "in the current phase," which is, of course, a meaningless platitude. Therefore, we continue to have "in the current phase" more than 40 ministries and central offices, including approximately 20 economic ones, and 13 specific elements of the central administration in the form of central cooperative unions. This is a system which is well rooted in the government and in many important heads. Created for the needs of the centralized system, it will not lend itself to being changed from the "manual control" of the economy to research, stimulating, prognostic and strategic work.

Professor Baka's office is critically disposed toward the present form of state administration but he does not propose its complete reconstruction. Therefore, he is only left with the recourse of educational influence on the administration. This is as noble as it is hopeless.

[Question] From these reflections, an image appears of certain chaos which reverberates with a loud hiccup in enterprises that are less involved in model solutions and more disposed toward survival and adaptational gymnastics.

[Answer] I would not even mind this chaos if it were indicative of the genuineness of the process. Let it reveal various interests in social life. After all, it is difficult to expect calm and stability where the economy has collapsed and where a new system of management is being introduced. If only we could be sure that we are not losing sight of our goal--and of this I am not certain. For this reason, as time passes and experiences accumulate, my doubts increase. They concern both the calendar of the reform and the solutions which are being introduced.

[Question] It is possible that the feelings of managers who represent manufacturing fields are similar. To be sure, they usually treat these matters in a more down-to-earth manner. Nevertheless, they do feel the effects of some spur-of-the-moment and not thoroughly thought out decisions. Therefore, they focus all of their energy on adapting themselves to something, which does not even give us an inkling of a cohesive model of the economy.

[Answer] And this speaks badly not of them but of the system. We were supposed to introduce a system to which adaptation would have been socially beneficial and which would not elicit inventiveness in the direction of swindling, which is harmful both to the economy and to society.

We will not be able to tackle this without a real market. I am aware of all the weaknesses of the market but I treat it like Churchill treated democracy: it is an awful solution but there is none better. By introducing the plan economy, we destroyed that mechanism, although it was possible to reconcile it with planning.

We have destroyed it so thoroughly that it would be difficult now to reconstruct this important self-regulating mechanism. And in addition to this, there is clear and subjective resistance. This constitutes the greatest barrier. If we do not overcome it, we will replace one devised institutional concept with another, better one for as long as experience does not reveal its falseness.

[Question] Which does not mean that many consequences, reactions and perturbations cannot be foreseen. This is not even a question of the natural impatience of the public, which would like to see the effects as soon as possible, but of concrete tax, credit and cadre problems. The effects of some of the decisions seem to surprise everyone, including their authors, even though they are not novices in the area of economic problems. Therefore, why are we not successful in limiting this baggage of errors to a minimum? After all, some secondary decisions look today as if though we were blindly searching for help.

[Answer] There are various answers to this question. We often hear that if it were not for the economic difficulties, the reform would be easier and the central decisions more correct because they would not be pressured by economic and social tension. However, it was the difficulties that forced the reform, both this and other previous institutional proposals. When difficulties would diminish, the reform would dissolve. Now, just the force of being accustomed to difficulties was enough to halt the reform.

There are many mistakes because there is a lack of a general, cohesive system which would limit the field and freedom of decisions, at the same time compelling their mutual accord. The reform was made to replace central dictates with central financial instruments by also abundantly using

dictates in new forms. However, why should these instruments be more relevant than the dictates, especially since they are emitted by old organizational structures of the central echelon?

[Question] Perhaps the issue has not matured to large-scale cuts and restructuring but to the reconstruction of the mentality. I have no delusions that this does not refer to a voluntary way of thinking but to one that is imposed by social pressure.

[Answer] Even when the administration shook with fear because of social pressure, it did not change its way of thinking but set defensive measures in motion. I remember the discussions in the Reform Commission on the subject of unions. Together with others, I called for their prompt elimination. In response, we heard: "No so loud, we'll frustrate the administration! We'll do it but not abruptly." The press was requested not to mention this. It was done later but at the worst possible moment, when there was no longer any social pressure. The results are obvious.

The decisionmakers have already adapted themselves to our "instrumental" reform. And they continue to hush-up discussions on "touchy" subjects. And if the reform will depend only on them, they will not give up the old structures of management. At the very most, they will dress them in new garments.

[Question] But this is not just a question of changing the shield but of a revolution in the ministerial structure, for what does the government represent in a system of several dozen ministries? Is it an agency which runs the economy or rather an assembly of senators each pulling in his own direction whatever he can? When there are so many managers, it is as though there were none, which manifests itself not only in the narrow-minded noncohesiveness of decisions but in the washing away of information channels.

[Answer] That is why we will not achieve equilibrium in this way. Unfortunately, something else is worrying me. In Hungary, we can observe the revival of eliminated structures in new forms, e.g., branch units in the Office of Prices and Materials. In our country, many pseudounions have formed on the basis of the old unions. The system has to be changed, but not like this.

[Question] As long as we do not do this in, as someone described it, a radical manner: the patient has a headache and we begin the treatment by cutting his head off.

[Answer] Of course, the point is not to eliminate abruptly the branch ministry or to abolish the administrative control of all prices overnight. What is needed is simultaneous activity in many fields aiming consistently at introducing and expanding self-regulating mechanisms. For example, we should forgo taking the depreciation fund away from

enterprises and leave the decision of the product type and assortment exclusively up to them; create tangible assistance for the formation of new enterprises in all proprietary sectors; eliminate obligatory work mediation;"break up" monopolies in industry, in construction, in trade, etc. There would be plenty to do if there were really the desire for the situation of enterprises to be dependent not on the administration but on market successes and setbacks.

[Interviewer] Thank you for the interview.

9853

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4 April 1985

POLAND

ROLE, IMPACT OF NEW PRICE POLICY ADVISORY GROUP DESCRIBED

Warsaw GLOS NAUCZYCIELSKI in Polish No 3, 20 Jan 85 pp 1, 7

/Interview with Brunon Gorecki, Department of Economics of Warsaw University, by Jerzy Krasniewski; date and place not specified/

/Text/ The first 10 days of last December saw the beginning of the work of the Council on Prices, a completely new element in the Polish system of government. Among its 37 members, in addition to representatives of the scientific community, major industrial combines, people's councils, trade unions and institutions acting on behalf of consumers, was a representative of the Polish Teachers' Union, Doc Dr Hab Brunon R. Gorecki, from the Chair of Econometrics and Statistics of the Department of Economics of the University of Warsaw.

/Question/ During the first session you were elected vice chairman of the council, thus taking up heavy responsibilities. The council is a social body. What tasks have its members set themselves?

/Answer/ The council will work with the office of the minister of prices, supported by the law which brought this state institution into being.

/Question/ The Ministry of Prices has been operating for almost 3 years now. Why was the council convened only in December?

/Answer/ For two reasons. First of all, the situation in the trade unions made it impossible to have the appropriate representation. We also waited for the elections to the provincial people's councils so that they could send their own representatives. The membership of the council includes workers from major industrial combines, and also scholars who study consumption. I have been involved in econometric research into prices and consumption for many years. I have had an opportunity to present these problems at a forum of the Polish Teachers Union /ZNP/, and I think that is why the union and its National Science Council entrusted me with the task of participating in the work of this body.

/Question/ What kind of a council is it supposed to be?

/Answer/ It will be an essentially advisory body.

/Question/ So it cannot issue binding decisions on the Ministry of Prices?

/Answer/ No. But it can as a consultative body pass resolutions recommending certain courses of action. Since it is a consultative body, it has to be informed of plans in the area of prices at the earliest stages of their preparation. We have to be familiar with long-term intentions in this area. Presentation by members of the council of opinions of interested groups in advance, not only for prices but also for changes in salaries, social services and planned compensation, would make possible a more effective formation of the mood of society.

/Question/ If I understand correctly, the members of the council will not present their own views, but those of the groups from which they come. If we then suppose that the council will in the future formulate recommendations which will not be adopted, the minister of prices must justify his position.

/Answer/ Of course. But we are not going to try to replace the minister, who has the right to make his own decisions.

/Question/ How do we average citizens find out about differences of opinion in important matters?

/Answer/ Organizations which have delegated their representatives to the council will find out about differences of opinion. Let me emphasize once again that the number of such situations will be reduced when we are informed far enough in advance. Then the government as well, also through us, will have a deeper understanding of the early stages of the development of events. Without doubt, representatives of the trade unions, various social institutions, scientists, and representatives of consumer institutions will be able to present the attitude of society to a given set of problems if appropriate conditions for this are met.

Let me add that the feelings and attitudes of society toward the present situation are not the only thing that matters. Also important are certain expectations with regard to price changes in the future and price and wage policy in general, taking into account a whole set of conditions linked to a broad range of economic problems. For example, food prices are closely linked with the purchase prices of agricultural products, and the prices of products bought by farmers. This is a very complicated subject, and for this reason the opinions which the council will express must be based on a thorough knowledge of the situation in various areas of economic activity. We must look not only at the consumer, who wants his income to increase, but also the broader conditions of society which make certain price movements inevitable.

/Question/ Are the problems which you have just outlined covered to any extent by the planned activities of the council?

/Answer/ Formulation of the program of work for 1985 is in its final stages. I think the draft will be presented to all those concerned in January. All I can say now is that the program is an ambitious one.

/Question/ I take it you do not feel authorized to present the views of the whole council. Perhaps you could present the views of your group, scientists and the ZNP?

/Answer/ Prices are a sensitive point of social policy. This problem is perceived differently by consumers from general professional groups with regard to integral links between price policy and people's wages. I think that the situation in the milieu that I know best, the teaching profession, requires careful research to determine the material condition of teachers and the influence of price changes on it.

/Question/ That is one of the largest professional groups. The number of teachers has surpassed 500,000 and will continue to grow. We also must not forget almost 200,000 administrative and service workers.

/Answer/ Definitely. The social importance of these groups is manifested among other things by their enormous potential for influencing the views of broad sections of society. For this reason teachers must be well informed about economics. In this group one can observe cases of economic decline, since pay increases are not enough to offset the increase in prices and ever-increasing inflation. I would like to induce the council to initiate research on the relationship between income and price policy. The point would be to determine income differentials and their influence on changes in the material position of different social groups.

Of course, I am thinking not only of teachers, but also of other groups in difficult situations.

/Question/ As you know, workers' pay scales vary considerably.

/Answer/ Exactly. That is why investigating the changes which take place in real incomes, and thus in the incomes which determine purchasing power, determining which purchases a family must forgo, are important. Also of essential importance is how their economic advance changes the social status of other groups, their consumption possibilities and aspirations.

/Question/ And at whose expense is all this taking place?

/Answer/ If with minimal changes in real income you have a process of stratification, this means that some people are gaining and others are losing. If we realize this, then talking only about large social groups misses the point. We have to indicate degrees of stratification within these groups and this becomes a problem of great importance.

/Question/ No doubt, operating with a general concept, e.g., "the working class," in analyzing material status only beclouds the real picture.

/Answer/ Yes, just as no average can reflect the situation. That category ultimately becomes a sort of fiction.

/Question/ I saw an example of this in one of the schools. If the management of an institution makes around 20,000, while young teachers make no more than 9,000, then the average seems quite favorable. But these young teachers can hardly make ends meet.

/Answer/ You have raised the matter of those 9,000. It turns out that the social group which hitherto has not been singled out in any studies, and which is especially affected by price changes, is young intelligentsia couples, including young couples of teachers and young scientists, for example, assistants. These are groups whose pay has not increased by very much, which, given the lack of elementary household appliances and furniture, not to mention refrigerators or washing machines, causes tremendous difficulties. Therefore, in research into the economic status of citizens attention must be given to young intelligentsia families, including teachers.

Price policy is a kind of a global approach to economic processes. Hence at first sight it may seem that there is no place in it for research into specific social groups which are acutely sensitive to price changes. I firmly believe that a price policy can only be made credible when we show the results of price changes for various groups of consumers that are important to the country, including professional groups.

/Question/ I think it will take time before we can say that the council has succeeded in initiating such action. But the speed with which these proposals are implemented is also important. Probably the sooner we get these results the more likely they will be to influence the course of events.

/Answer/ It is important not just to begin such research, it is just as important to continue it. We must constantly monitor those sensitive points of society which require care and concern from the state. Only a constant flow of reliable information will make it possible to find the most effective solutions.

/Question/ I have listened to the deliberations of the union forum in Bytom. Price policy was sharply criticized there. As you know, between April and July 1984 the government decided to ban price increases of more than 10 percent for certain consumer items to counteract unjustified retail price increases. At the same time, surveys, the results of which were published in the press, showed that as many as 15 percent of enterprises did not follow this government resolution, but went above that 10-percent ceiling. Teachers have asked me who ultimately is going to defend the consumer's pocketbook. At Bytom, in the debate and in the final resolution, it was affirmed that waste and inefficiency in production result in ever-higher prices for products. In your view, should the council also engage in this kind of confrontations?

/Answer/ You have raised the important problem of shifting the burden of inefficiency onto the shoulders of the consumer. I doubt if it is possible to eliminate this type of reprehensible practice. Motivations for such actions will always be with us. Bookkeepers will always juggle figures in calculating product prices to conceal inefficiency. It seems that sometimes even the best supervision will not be able to determine whether the cost of a product is

justified by real expenditures, and to what extent it is due to inefficiency. I think that as the market balance is restored what we will see is attempts by enterprises to lower their prices in order to sell their goods. We will certainly witness a search for solutions to favor efficient production, and not to camouflage waste and inefficiency.

During the transitionary period it will be especially important to monitor shortcomings in the implementation of price policy, and perhaps the council will be involved in this.

/Question/ It seems that the council also intends to judge planned price changes, to formulate proposals for official and regulated prices, and wants to initiate analyses of price formation, costs and profitability, and the relationship of supply and demand. Also the problems which you mentioned, and those which I recalled, ultimately will constitute such an enormous and complicated task that time and money will be needed to carry out such analyses, unless the council wants to become a mere facade, a rubber-stamp institution. Can the members representing society cope with such a work load?

/Answer/ As an advisory body, the council must become acquainted with proposals submitted far enough in advance of plenary sessions so that at them it can make appropriate judgments. We also intend to initiate certain studies, but not to carry them out directly, since there are many agencies in the country which specialized in that. We plan to use the results of those studies. Perhaps when the opportunity arises we will be able to coordinate scattered efforts to serve a specific purpose, such as to determine which results cause certain price changes in certain social groups, how the system of salaries can be influenced, and finally, how to stop the constant price increases observed.

Between its plenary meetings the council intends to work through ad hoc committees, and also through the presidium. Thus periodic meetings of 37 members would be an opportunity to sum up certain ideas. If such a mechanism begins to operate, one may hope that meetings every quarter, and when necessary more often, will make it possible to present the situation in certain key areas of price policy to the ministry.

9970

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POLAND

BAKA REFUTES JAN REM CHARGES AGAINST 'REFORMERS'

Reformers, Restorers

Warsaw TU I TERAZ in Polish No 1, 2 Jan 85 p 3

/Article by Jan Rem: "Lynch Law: Anti-Rykowski"/

/Text/ Post titules Rykowski signs his column on the back page of TU I TERAZ. I can guess he is a reformer. He writes, after all, that reformers are noble, altruistic, wise, sublime, courageous, chic, solitary people, and that they are right. In this way one can admire only himself.

The opposite of reformers are restorers, that is to say, people who bring back the old order, history's brakesmen. Restorers, like vermin, hunt in packs to defend their interests. They are sordid little people, parochial and drunken mercenaries. One can recognize them by their bad teeth.

Having read all about it in Rykowski's column, I became terribly ashamed, not so much because of my teeth, gnawed down through reform biting, but because just a few years ago I would have underwritten enthusiastically P. T. Rykowski's arguments. From those years I have only a few well-matched ties left. Rykowski humiliates by reminding that sclerosis might appear before mature judgment. As it happens, maturity is followed by death, all the more terrifying since it rules out reading tomorrow's newspaper.

It is not by coincidence that sauerkraut and sausage is the Polish national dish. The Polish political cuisine, on the other hand, recommends its specialty: the inner conviction, shared by people of all orientations, that their views are the only ones based on sound moral foundations, while all others derive from villainy. Rykowski ascribes ethical merit and value exclusively to reformers. Against the reform camp--in his view--only the canaille breeds. How odd that a writer of such a primitive judgment has the gall to discover parochialism and mercenariness in the camp he fights against.

Reformers, as the weaker players, try to draw the game, claims Rykowski, but restorers consider a draw a victory, since it destroys reforms. Rykowski suggests, therefore, that reforms could only be total and radical, and whenever they have been slowed down or curtailed, a backward movement results. But our historical experience indicates the opposite. Violent, farreaching reforms

get compromised in confrontation with reality. Prudent reforms, slow and well founded, do change relations permanently. Moderate reforms survive, while those which go beyond a steady pace of evolution perish without leaving a trace. Reform radicalism therefore guarantees victory to restorers, not to reformers!

When reformers open their mouths, they never manage to get a breath or a bite in, because of some overwhelming power which immediately forces them to decline the term "democracy" in all cases and all usages. But the reformer Rykowski also writes: "Reformers are arrogant in confrontation with the social consciousness, they slash right and left. Restorers avoid such a mistake, they can strum the strings of the most elementary sentiments and flatter simplistic thinking." I would like to reply that the weakness in the reformers' aspirations derives from the fact that one cannot radically change the world and at the same time remain a democrat. In the long run the rigors of democracy support the conservative aspirations. It is not by coincidence that those revolutions which are aware of their goals and means do not reach out to electoral arithmetics for support. If reformers would like to slash the social consciousness left and right, let them stop ranting about democracy.

Toward the end of his arguments Rykowski declares himself a Marxist. He expresses his doctrinal conviction that reformers will win, even though they are isolated, slothful, lacking in effectiveness and willpower. Reformers can sleep throughout, during intermissions reading Proust. The productive relations must conform to the level of the productive forces, and therefore--according to Rykowski--power, which already lies in the street anyhow, would get up and join the reformers in their bed to give itself to them.

Actually, in capitalism--which provided the research testcase to the classics--the progress of the productive forces proceeded in a rather automatic manner. Up to a certain limit it was driven by the economy itself, in a way which in the short run was relatively independent of political and social conditions. In socialism, however, economic development is closely determined by politics. The productive forces are capable not only of development but of regress as well. Would not in such a case the productive relations rather favor the restorers? Arguing the point, one might well bring one's PhD thesis to completion.

It is not true that restorers are afraid of reforms because they were born stupider, are capable only of primitive actions, and all changes must therefore deprive them of their influence; thus they would oppose reforms out of their own interest. It is anachronistic to portray conservatively minded people in such a way. It seems that this profile of a conservative has been simply borrowed from PO PROSTU publications, written 30 years ago by observers who were more noisome than perpicacious. Today restorers have both their teeth and their ties in order, and until 1 pm eat nothing but yogurt. They are pragmatists and rationalists, and their political ethos and altruism do not lag behind the reformers' standards, rather moderate ones at that. The genuine shortcomings of the restorers are quite different. They perceive all issues in isolation, like Julian Tuwim's bourgeois, and engage in solving ad hoc problems only. Their imagination is incapable of grasping the consequences of

many simultaneous moves, and stretches over weeks rather than years. They are therefore practical managers rather than politicians or visionaries. And besides, their impact on the real course of events is much broader than their abilities. Genuine restorers represent, as a rule, neither conservative inclinations nor awareness that for all their strength they try to brake the wheel of history, to slow down its rotation more than necessary. They simply solve ad hoc problems, preferring simple and direct measures to indirect and elaborate ones. But a purely psychological interpretation of their behavior would be a mistake.

Those who have some small share of power and responsibility have to solve problems, taking economic, social and other realities into account. Reform-inclined intellectuals are free to speculate about models. When they are assigned specific duties, their reforming propensity immediately shrinks and withers.

Bolder reforms involve risk and are fraught with mistakes more difficult to predict than just copying the old ways. Contemporary Poland by no means constitutes an organism which safeguards any margin of freedom in risk-taking and stumbling. All the parameters are skimpy and tight. There is no room for experimentation. Public opinion favors changes solely in abstracto, but faced with any attempt at their implementation it reacts by withdrawing its support, or else the implementation contradicts any earlier assumptions.

Our times are marked not so much by any dramatic clash between reformers and restorers, but by much more profound contradictions. There is a contradiction between the historical need for substantial changes and the need to preserve the existing equilibrium; this is accompanied by a general and well-justified disinclination to bear the costs of experimentation. Any reform policy would need exceptionally powerful political support in order to impose reforms without sufficient public support for every single move. To obtain approval for experiments which tamper with everyday life, universal faith in the future and in the value of future-oriented actions would be necessary. Genuine active reformers must therefore not solicit ad hoc credits but enjoy long-term credit and have all the trust available. At best, they have at their disposal some promissory notes, payable tomorrow, not in 10 years' time. It is also well known that the success of the present policy cannot evolve from ad hoc solutions for urgent partial issues. It is the framework of such contradictions which determines the dramatic character of the struggle for the successful political mainstream of genuine reforms, and for our policy devoid of any better alternatives.

Despite all the contradictions, the reforms are on--nonviolent ones, carefully measured and rectified. The trouble is that the intellectuals, full of zeal for reforms, tend to elaborate on paper new concepts for more far-reaching reforms rather than supporting in practice the ongoing reforms, endowing them with social vitality, or working arduously for their implementation.

People whom Rykowski calls restorers have striven, for instance, to make the purchase of rubber boots by farmers possible. They did indeed restrict their mode of thinking in order to achieve such immediate results. Reformers think

only of the machinery which would eliminate the problem of rubber boots from the Polish economy. But it is not easy to answer whether and when the productive machinery would automatically meet the demand for waterproof rubber footwear, and whether farmers will patiently wait until then, instead of giving vent to their economically and politically harmful impatience. When all is said and done, their angry reactions would reduce the prospects for any model reforms. Restorers, on the other hand, are people who authoritatively solve the boot problem. Thus they enhance the chances of the reform, while reform-minded intellectuals blame them for undermining the machinery of the all-embracing changes.

Those who look wider and farther, and those able to repair something overnight, are mutually complementary. Perhaps Rykowski's distinction between reformers and restorers simply reflects to a certain extent the social division of roles and tasks?

Rykowski ends by confessing that he likes risk. Neither the world nor Poland has ever heard of his implementing such propensities. It might be interesting to give Rykowski some chips and let him join our game, and then to find out which of these roulette squares he would shun: living standards of retirees, nominal working wage increases, development chances for electronics, state control over the training of its future university-educated cadres, improved relations with the West, safeguards for internal peace and order, or whatever else. I suspect he would, despite everything, hedge his bets carefully and put them in small pieces all over the squares, but even then, if he would try to set the roulette wheel in motion, he might suffer from a cramped finger.

Between liking risk and taking risk there is a distance greater than between liking bananas and eating them, here and now, for each of Mister Rykowski's breakfasts.

Editorial Reply From Baka

Warsaw RZECZPOSPOLITA in Polish 14 Feb 85 supplement REFORMA GOSPODARCZA p 1

/Article by Wladyslaw Baka: "Ad Rem"/

/Text/ It seems that socioeconomic problems are, as a rule, much more complicated than one might suppose at a glance. I would like to convince Jan Rem of this, taking as a starting point his column about restorers and reformers /TU I TERAZ, 2 Jan 85/.

Problem No 1. Jan Rem thinks that reformers are people who wait until automatic operation of the economic machinery would solve all the economic problems. But that requires proper conditions and time, both unfortunately not available to us. Reformers have no feel for practice. They underestimate the need for solving partial problems, such as supplying farmers with rubber boots. "Restorers" however, who unlike reformers walk on earth and solve concrete problems, are endowed with such proclivity. And that is why they have better chances to succeed.

This is a most peculiar opinion. And, let me add, an erroneous one. Erroneous, because it assumes that reformers are isolated from the specific issues of everyday life, from sharing pains which must be quickly remedied, etc. That is simply not so. It would be a bad reformer indeed who underestimates the importance of the present for the future, and ignores the need for quick interventions in order to solve burning partial problems. The whole set of the machinery and instruments introduced in the so-called intermediary period to help solve important burning problems is evidence enough that reformers care for specific issues of the present day. One might ask: If that is so, what is the difference between the reformers' and the restorers' approach? The difference is self-evident.

Let us assume that both the former and the latter see the need for solving a specific issue. Their mode of action would be different. Reformers, undertaking any interventions, would try to act in a manner which avoids using more commands and limits than are absolutely necessary under the circumstances. They would look forward to future avoidance of all interventions imposed from above. Restorers, too, would think about the future, but in a different way. That is to say, in a way which through actions undertaken today would create such economic conditions and processes that in the future would lead to the restoration of the old system of management.

Problem No 2. Jan Rem claims that the bolder reforms involve risk, and that contemporary Poland is not an organism which affords any margin of freedom to take risks. And, he goes to say, our historical experience indicates that violent, farreaching reforms have been self-compromising whenever confronted with the interaction of real life. Moderate reforms are more effective, while reforms which go beyond the serene pace of evolution perish without leaving a trace. The conclusions derived from those assumptions are self-evident. Which one of the Polish economic reforms was truly profound and radical? The nationalization of industry and the agrarian reform of 1945-48, no doubt. Have the effects of this reform been permanent? Forty years of People's Poland prove that they have been indeed. There is obviously a qualitative difference between revolutionary changes which lead from one social formation to the next, and reformatory correctives within the same given formation. Well, as far as the given formation is concerned, our experience does not, generally speaking, support Jan Rem's claims. On the contrary, of all the economic reforms imposed, the most profound was the 1956 one, and the most evolutionary the one of the 1970's. By now we already know that the post-October /1956/ reform was too superficial and too inconsistent, while the "evolutionary" changes introduced into the system during the 1970's, that is to say, the so-called improvement in the management and administration systems, has brought what it did bring.

Jan Rem has no evidence whatsoever, no empirical data (in Poland) to support his thesis that "reforms that go too far" are self-compromising. It does not mean, of course, that he is wrong. The crux of the matter is to clarify what "farreaching" means. It might mean going "too far." But it might also mean that under the given circumstances the reform cannot but be "farreaching," and that would not mean going "too far." The dialectics of socioeconomic development indicate that the process of change is not linear in character. For

changes to be effective, they--sometimes and in some sectors--must be radical, while in others slow and evolutionary. I could also contradict Jan Rem's claim that the lack of a proper margin of freedom should prevent more substantial changes in the economy by saying that a good situation and a broad margin of freedom are the reform's worst enemies, according to the principle that "if it ain't broken, don't fix it." That is how it looked like in the 1970's. Paradoxically, it might be said that the profound breakdown of the economy at the turn of the 1970's and the 1980's, and the lack of proper margin, are the most dependable factors in ensuring that the reform will indeed be profound, and that its line will conform to the guidelines set up at the Ninth Congress.

Problem No 3. I have a feeling that Jan Rem endows the socialist formation with some supernatural qualities. He writes that while in capitalism the development of the productive forces proceeds in a rather automatic manner, in socialism the course of economic events depends on politics. As a matter of fact, both there and here, it depends on politics, except that in socialism it does so to a much greater degree.

Continuing his argument, the author claims that in socialism "the productive forces are capable not only of development but regress as well." He derives from this a rhetoric question: "Would not in such a case the productive relations favor the restorers?" I reply that it might indeed happen, but with consequences disastrous for society. But in no case could that be regarded as a rule, it is rather a deformation. After all, the essential feature of the socialist system is not that it gets away with regress in the productive forces; it is rather its ability to use political means in order consciously to shape conditions favorable to their development. The ability to influence the economy actively in no way undermines the objective functioning of economic laws. We have found this out more than once.

It might be worthwhile to recall here, after Oskar Lange, that "There is just one social domain of human activity where habit and routine cannot be of long duration, since new external stimuli continue to emerge, provoking changes in human behavior. This domain is the productive process, the mutual interaction between man and nature. It is the law of the continuous development of the productive forces in action." This law is binding in socialism as well. It is therefore not true that one can arbitrarily skip along the regress-progress axis. On the contrary, there is an objective need to adapt the productive relations to the functioning of that law, as well as an objective need to adapt the superstructure to the productive relations. Socialism, more than any other social system we know, provides the possibility of meeting the requirements derived from those laws. Such possibilities have not always been used in practice. Whenever restorers have prevailed, this has led to a disaster. And not by coincidence, either. The objective functioning of the social and economic laws is thus demonstrated. It will be demonstrated in the future, too, if we admit that "the productive relations favor restorers."

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POLAND

ROLE OF SELF-MANAGEMENT IN HIGHER EDUCATION DISCUSSED

Boundaries Outlined

Warsaw TRYBUNA LUDU in Polish 29 Jan 85 p 3

/Article by Dr Grzegorz Janczewski, Academy of Medicine in Warsaw/

/Text/ I have followed closely for many years the discussion in Poland concerning the means of legal regulation of higher education. This did not begin in August 1980. Even more so, I have not been a passive observer, as I have expressed myself openly many times on this matter.

Speaking about the obligatory rule of 1 September 1982, I would like to remind you that this rule had been attacked harshly in May 1982 during its inception by the same groups that today defend it with such passion. At that time, the rule for them was "brutal violation of self-management in Poland." Today, it is a monument to this idea. The propaganda methods of "short memory" are well known and sometimes effective.

The rule concerning higher education determines the basic principles of university functioning:

--principle of socialist education of students in agreement with the Polish Constitution (art 1, point 1);

--principle of students' education in agreement with the ideas of humanism and social justice and consciousness of their duty to law in the socialist state (art 2, point 1);

--principle of free education showing the development of many scientific directions with respect to the individual outlook on life (art 2, point 3);

--principle of unity of tasks: scientific research, teaching and education of youth (art 3, point 1).

The implementation of this act should be in accordance with the resolutions of the 9th Party Congress and the 13th Plenum of the PZPR Central Committee. The system for managing the universities should fulfill the following conditions:

- guarantee society's satisfaction of needs and interests,
- assure a democratic system of managing socialist education in the universities,
- specify in a clear manner the personal responsibility for decisionmaking,
- ensure the proper selection of academic teachers through the objective evaluation of learning through moral attitudes; civic, scientific and professional values; pedagogical dispositions and implementation of development of personnel through job training.

Are the universities meeting these conditions? In my view, they are not. I am aware of the very important function of the university for scientific and research work (approximately two-thirds of the scientific potential in our country is in the universities). I would like to emphasize that the first task of the universities is to teach and educate the Polish intelligentsia.

Education in the universities is and rather has to be the element of social and civic education. Education at the universities starts for 18- and 19-year-olds who are accustomed to the educational methods of high school and the family. This environment is very different. After 5 or 6 years the state, society, the workplace and the families expect our graduates to achieve full social maturity, independence in activity and thought, and even to know how to lead others. The period of study is the time to shape and consolidate views through contact with different situations and people.

The political situation in Warsaw schools also is determined by legal acts creating the basis for their activity: the law concerning university statutes. The law has restricted to a minimum the possibility of the state's institutional influence as a patron of those schools at the most sore point, which is the personnel policy in the state's higher schools.

The idea of self-government is in agreement with the ambitions and tradition of Polish universities. Up to the present, the practice confirms that the legal regulations obligatory at the universities are freely interpreted to transform the democratic system of self-management into a system of manipulation of university matters as carried out by the so-called political opposition.

Self-government of the universities is explicitly interpreted as completely independent of the state, despite arts 1 and 2 of the law. In some universities, elections for university authorities have been treated as an occasion for political demonstrations against the state. We have observed extensive activity by the opposition, which has not paid any attention to the qualifications of the candidates or to the university's interests, but rather their purpose has been to eliminate from the election any party, other party or nonparty candidates who did not work with the opposition.

The capital's universities work in different conditions, but at the same time many of the appointed staffs do not fulfill their obligations under the law. Frequently, these staffs devote themselves to activities related neither to the university nor to the staffs. The Supreme Control Chamber recently made

a study of the universities in Warsaw, which showed that the staffs have not devoted enough time to the problems of the universities, the educational program or to conditions for development of teaching personnel or organized study progress.

As a result, studies have shown that in the last few years the work discipline of personnel and the quality of study have been lowered. We also have to acknowledge that it is true that the ministries dealing with higher education and the political and administrative authorities have not always taken advantage of the law in order to facilitate their influence on its realization.

It is especially understood that "self-government" and "autonomy" of the universities have been used to weaken the unions and halt their initiatives. Efforts have been undertaken to create an antiunion structure to assume influence over areas dominated by the unions, i.e., a senate commission on workers' issues. Such structures will lead to the elimination of the unions at the universities.

And now for matters of student self-government. In accordance with the law (art 210, point 1), all students create self-governments, but in practice only the most active leaders of the former Independent Students' Association /NZS/ have become the leaders of the academic self-government in many universities.

Their activity is usually one-sided and limited to political activity. The fundamental problems of the students are pushed aside, i.e., organization of the best system of education for the faculty or the university, social or cultural problems of the students' circles, the students' scientific movement, etc. I can see how the student self-government at the Medical School "acts." They have so much for which to criticize the "old men," but they are helpless in their inactivity and their daily affairs. For example, those "old men" rebuilt the Medical Club with their own hands after the Second World War. Today the club has been devastated by young, rebellious people. It has been closed for the last 5 years, unrenovated and abandoned by the university and the students. It is in a state of awful neglect with no conception for use.

Another matter--there are complaints about academic textbook speculation by the students. Self-government has not been able to fight this occurrence, which has been committed by the students themselves.

Generally, the universities are not in good condition. The people governing the universities take advantage of gaps in the existing law and their actions have nothing to do with improving conditions at those universities. The laws can be formulated better or worse, better or worse in terms of time and conditions, but they are implemented by people. Now we have to answer the question of who will be responsible for not implementing the laws. Self-government--does that mean all of academic society? Is it equal for those who work at the university on what they are supposed to be doing as well as for those who use the university only as a pretext and an approval of their actions against rules and statutes?

If the rules unsatisfactorily specify personal responsibility for governing the university or faculty, then this means in many cases a loss of opportunity for governing the university.

In our country, authorities have stopped being a synonym for a feeling of comfort and have become a synonym for responsibility. The need to verify the road the Polish universities took in 1981-85 is to the same degree a pragmatic problem as it is a political one, a social problem as it is an economic one. Without regard as to whether someone likes it or not, the necessity to verify the opinions on the current legal state regulating higher education in Poland is on the minds of many academics who want a good future for their universities.

This necessity can be seen by people without regard to their political views. This view is held even by those who would prefer not to speak their minds in public. This is an important matter. We have to build dams to halt the processes of self-destruction in many universities, which we cannot stop or divert with existing legal rules.

Abuses Presented

Warsaw TRYBUNA LUDU in Polish 5 Feb 85 p 4

/Interview with Mieczyslaw Krause, Silesian Medical School, by Wieslaw Debski/

/Text/ The adopted rule concerning the solution to guarantee self-government to academic circles has not always served the interests of the universities. What has been the cause?

We pose this question to Professor Mieczyslaw Krause from the Silesian Medical School.

Krause: The universities are sensitive to self-government today because in the past unpleasant experiences have occurred in that appointments were not properly selected and governance frequently could be ruthless and unjust. The restrictions on self-government in past years and later the difficulties encountered in achieving self-determination have caused the universities to bend, which has made life easier but also more difficult at the same time.

/Question/ What danger exists for academic self-government if it is not used properly?

/Answer/ In the pursuit of statutes that guarantee full freedom, self-government and democracy, confusion, chaos and absurdity have been brought about in decisionmaking, a waste of time. The truth is that an appointed rector can be an "independent gentleman," who in extreme cases will not listen to the professors. On the other hand, it also is true that the rector-elect can have his job in some circumstances because he knows how to satisfy the clique's interests, which are not always in accordance with those of the university.

/Question/ What results does this have for the university?

/Answer/ The diminution of the rector's and his coworkers' authority steers the management of the university to a larger group of people, which makes decisions on not very important issues. As a result, academic personnel, rather than spending time in laboratories, the classroom or in seminars, must devote their time to meetings and consultation. Students who know little about the mechanisms of university management are allowed to participate in the voting process, which diminishes the effectiveness of management organs. A quorum is required to accomplish certain activities, but sometimes frequent meetings must be called as a quorum could not be attained because of boycotts by a few persons.

I know of one university that required over 100 elections to elect authorities. There have been some impasses, for example, when nobody from the audience submitted names of candidates and at the same time opposed closing the list of candidates. It is situations like these that make me think that we have taken the wrong path in democracy in the universities. There should be some corrections to the situation.

/Question/ What obligatory rules should we change?

/Answer/ The changes in rules and acts often are not very good because they don't allow people enough time to adapt to the new situation, and as a result they make a mess in the institutions. On the other hand, experience has shown us that the rules are not fulfilling the hopes of the people, and if there is an abuse of academic liberty they must be modified.

It is very difficult to find the golden mean between assuring the university of full academic freedom and self-government and likewise preventing the wrong consequences of this freedom.

It seems to me that modification of the rules on higher education should go in the direction of strengthening the rector's power and authority. He should have the power to intervene in those cases when the collegiate body (whose number should be reduced) finds itself in a deadlock or when academic freedom is abused or used for personal gain and antisocial actions.

Because of the special difficulties associated with administering the universities, whose personnel are mostly made up of nonconformists (conformists are useless in science), we should demand that those persons who agree to take a rector's position should have a short course in how to organize and administer a university.

I think that the mistakes made in administering a university result from the fact that the persons who run the schools are great professionals, but they are not prepared for that kind of job. Even when they work hard, they still make mistakes, the results of which are felt throughout the academic society.

/Interviewer/ Thank you for the discussion.

POLAND

REVIEWER QUESTIONS MANY TERMS IN RECENT AEROSPACE DICTIONARY

Warsaw SKRZYDLATA POLSKA in Polish No 5, 3 Feb 85 p 4

[Article by Pawel Elsztein: "Toothache in Space"]

[Text] A review of Sergiusz Czerni, "Słownik
Lotniczo-Kosmonautyczny Polsko-Angielsko-Rosyjski"
[The Polish-English-Russian Aerospace Dictionary],
Wydawnictwa Komunikacji i Łączności, 1984, 19,700
+ 300 copies printed, price 500 zlotys.

This is not an essay on stomatology. I would like to say a few words about a publication which for some reason escaped reviewers' attention. In 1984, an important publication, at least the way I see it, was the appearance of the "Polish-English-Russian Aerospace Dictionary." For the first time, we received a dictionary with space terminology. The work by Sergiusz Czerni actually comprises three dictionaries, because, in addition to the Polish-English-Russian part, the thick volume also contains English-Polish and Russian-Polish dictionaries. These latter two components are helpful in everyday reading of foreign materials.

Those who work with aerospace publications, most of which are published in the USSR and the United States, have been using all kinds of dictionaries of a general technical type. These readers are certainly familiar with the excellent work prepared under the editorial guidance of Sergiusz Czerni at the Scientific and Technical Publishing House. I have in mind in particular the large English-Polish scientific and technical dictionary that has appeared for years and already passed through several editions. Now Czerni comes forward as an author of an original dictionary dedicated entirely to aerospace subjects. The dictionary has been thoroughly prepared by the experienced author and published beautifully. It has a hard cover, with a colorful dust jacket, and even the selection of paper for dictionary parts (the English section is printed on cream-colored paper) is praiseworthy. The part one needs is easy to locate.

In the introduction, the author states the reservation that the dictionary is a dictionary of popular science. Indeed, it is. But somebody had to make the first step toward a future, larger dictionary which would be dedicated entirely to aviation space research and rocket technology. This first difficult step has been made by Mr Czerni. I have estimated that his dictionary contains about 8,000 English words. This, of course, is

a drop in the bucket. For example, the English-Russian dictionary of rocket engineering and space research published by the Ministry of Defense of the USSR (1966) contains more than 50,000 words printed on 900 pages. Hopefully, sometime a similar work will appear in Poland.

Having paid the deserved credit to the author, the publishing house and all the participants that contributed to the creation of this dictionary, it is the duty of the reviewer to look inside the thick book and analyze its contents. In the introduction the author states that "more than 50 years has elapsed since the first multilingual aviation dictionary appeared in Poland. It was published under the auspices of the Institute of Aviation Engineering Research in 1931. Its author was Kazimierz Wolski." This requires a correction. The author errs: the first multilingual dictionary in fact was the small Polish-French-German-Russian military aviation dictionary published in 1922 by the Military Scientific and Technical Publishing House in Warsaw. The authors of this small work, which was just 107 pages, were: Captain Tadeusz Balaban and the engineer Kazimierz Wolski. I am taking these data from an original copy of this dictionary that I have in my possession, rather than from some bibliographic notes. So it was not 50 but exactly 62 years ago (until 1984) that the first aviation dictionary appeared. Then, the initiative belonged to the army, because the dictionary appeared almost immediately after Poland obtained independence. The dictionary was approved for use by the Minister of Military Affairs at the end of 1921. It is true that the current dictionary, as far as space research is concerned, is the first edition of this kind to appear in Poland.

I will dwell on the English part, leaving an analysis of Russian terminology to other reviewers. Here are some of the comments that come to mind after first acquaintance with the dictionary. Active satellite is translated as "satelita aktywny." A better choice of adjective would be "czynny." Aircraft rocket is translated as "raketa lotnicza." This name is overly general and not used currently. Aircraft vectoring is interpreted as remote control of aircraft from the ground. I believe, however, that it refers to vector control, not necessarily remote. Airframe is defined as the body or corpus of a rocket missile. A better definition is a structural skeleton, but not of a rocket missile. Air freight bill is translated as "konosament lotniczy." This is certainly a red herring, a foreign phrase translated by another foreign phrase. Actually, this is simply a shipment list or bill of lading. Antitorque rotor is translated as auxiliary rotor. Actually, it should be translated as steering (tail) rotor in reference to a helicopter. The entry application technology satellite should also include the abbreviation ATS, commonly used to denote this satellite. In fact, this abbreviation appears on the next page but with a slightly different interpretation. In another place, tail rotor is identified with auxiliary rotor, which is actually external or additional rotor.

Banner cloud is translated as a cloud standing at the top of the mountain, rather than above the top. The equipment used to create pressure during medical tests in pilot training is described in great detail as a rotating chair for tests of disruptions of sense of equilibrium. Bipropellant is

translated correctly as a two-component fuel, but for some reason this is followed by the absurd combination "propergol dwuplynowy." Why is blast-off translated as missile start? We do not know. It refers to a start in general. Brake parachute is translated as "spadochron hamulcowy." It should be "hamujacy." Likewise, braking pitch should be translated not as braking step but rather as producing inverse, negative drive. In the entry burn out, which means the burning of fuel, there is a typographical error (brun). The translation of "czarter" misses the point. Again, one foreign word is replaced by another. Check flight is misspelled ("fligst"). It refers to aircraft trial flights. It is unclear why the simple cigarette burning is explained in an extremely scientific way: burning from the end along the axis (the natural question is, along what axis?). One also wonders why the symbol for the center of mass, CG--centre of gravity, is spelled COG? Earth entry corridor is correctly translated as the zone of entry into the atmosphere, but for some reason the interpretation adds "of spaceship cabin." Shouldn't it be the entire spaceship rather than just the cabin? Escape module is translated as separable rescue cabin. Actually, it is a module of a spaceship or its section. Explosive cartridge is translated as a pyrotechnical charge. Fine, but this translation is spoiled by what smacks of a culinary term: "pironaboj" [pyrostuffing]. Ugh!

Fallaway umbilical mast is translated as "maszt startowy odrzucany." A better translation would be "maszt obsługowy - pepowinowy." Hang glider is translated as "lotnia" [delta plane], although actually it also means a glider starting from a slope. Karman's vortex street is translated as "aleja wirowa" [vortex alley]. Possibly, but only with very large flying objects! A British street--maybe better, a vortex street--would certainly come closer. Other definitions of a glider are given under the entry paraglider. It is known, however, that a paraglider (currently, deltaplane) is basically a parachute retrieval system of high aerodynamic precision--similar to the "Rogallo" wing. Perigee is translated as "perigeum," but the Polish standard spelling dictionary gives "perygeum." Rocket booster is defined as an auxiliary rocket or an accelerating rocket engine. Wouldn't it be better and shorter to simply call it the start engine? Space capsule is defined as the cabin of a spaceship. This was the original name for a very small spacecraft, but even in that capsule there was a cabin! Space shuttle is again unfortunately called the space ferry, and the unfelicitous, unprofessional word coined by the media, "wahadlowiec" [pendulum]. A better description would be a space plane, but I know that I am fighting wind mills with this suggestion. Can anybody explain to me why a vehicle should be called a pendulum just because it returns to the spot of its start? This name has no rationale in everyday experience, no more than the word "ferry" in aviation. Stunt flying is defined as "loty popisowe" [exhibition flying]. A better term would be "akrobacje lotnicza" [pilot acrobatics]. Touring aircraft is apparently a tourist plane. However, this term has not been heard here at least for half a century. The explanation of the word umbilical does not indicate that this refers to a fast-unhinging system and service masts. VAB--vertical assembly building--is a building for vertical assembly of carrier rockets. The abbreviation is missing. Vernier engine is defined as correction engine. It refers to a vernier nozzle. Very

light is not a signal flare, as indicated by the author. Something went amiss. A letter was broken in wind sleeve, appearing as "winl." This refers to wind cone--wind indicator. Doesn't wind indicator indicate wind speed rather than direction? Something happened to all those winds at the end of the dictionary. To wind up, another difficult term, wing face, translated as wing surface, probably refers to the front surface of a transverse cross-section. Under the letter Z, I also found a trajectory that I would rather replace with path and also catapulting or zero-zero ejection from the earth's surface, which should be translated as "wyrzucenie."

This is all that I can point out, and, probably not always correctly, to the distinguished author, which in no way detracts from his valuable work on this magnificent and badly needed dictionary. The reader might ask: what is this toothache in the title? I have found in the dictionary a definition: "inflammation of sinuses due to pressure change," and this made me wonder about toothache in space.

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POLAND

AIRCRAFT ENGINE PRODUCTION PROBLEMS DISCUSSED

Warsaw SKRZYDLATA POLSKA in Polish No 3, 20 Jan 85 p 3

[Article by Piotr Gorski: "Engines, Engines ...!"]

[Text] Hardly anything is going right in this area in Poland. Looking back at the period between the two wars, we see that, largely, the shortages in Polish aviation were due to wrong policies towards the industry producing aircraft engines and the related licensing and purchasing activities. And yet Polish aircraft enjoy worldwide renown. What can we say about this today, four decades after the end of the war?

The aircraft industry was rebuilt on the smoking ruins left behind by the occupation forces, even before the final victory. This was, in fact, one of the first branches of the economy to come back to life. The variable turns of fate it experienced during the four postwar decades are not at issue here and are generally known. That these were hardly propitious years is largely due to the policies in the area of aircraft engines. In retrospect, we can see how many beautiful and efficient designs have been wasted simply because of a lack of engines to equip them.

In the winter of 1957-58, the prototype of two-seat training aircraft PZL M-2 was completed under the direction of the engineer Stanislaw Jachyra. This was the first Polish all-metal aircraft in the postwar period, and, most importantly, there was an urgent demand for this design at the aviation clubs. The designers planned to equip it with WN-6B engine (118/143 kW), at that time being developed by the group headed by engineer Wiktor Narkiewicz. Since that engine was unavailable, the two prototypes were equipped with Czechoslovak engines Praga Doris-B (162 kW). This change, however, greatly impaired the flying properties of the aircraft and made it unacceptable for aviation club training, its original purpose. As the work on the WN-6B engine was still dragging on, the demands of the aviation clubs were changed.

To meet the new demands, the group headed by J. Olenderek developed the PZL M-4 Tarpan aircraft and created its prototype in 1960. This machine was to be equipped with the same engine WN-6B. That engine was still not

ready and became available only in 1963. In the meantime, the aviation club demands for the M-4 Tarpan slackened.

In 1958, a light two-seat sports plane PZL-102 Kos was created under the direction of Stanislaw Lassota, MS (Eng). It was an inexpensive machine, and the prototype was equipped with a four-cylinder Polish engine W-1 (PZL-65) with a rated power of 43/48 kW, also designed by Wiktor Narkiewicz. However, it achieved even better results when powered with the imported Continental engine of 70 kW. Interest in this Kos aircraft developed mainly abroad, and a small number of machines that were produced were purchased by five nations. All of these were powered by the Continental engine. Since these were hard to obtain, the production ran into difficulties (in the meantime, the WN-1 was discontinued).

Even the currently popular Polish aircraft PZL-104 Wilga was designed with a view toward the above-mentioned engine WN-6B. Yet this engine was never brought into mass-scale production to be installed on mass-produced aircraft. The type of the Wilga aircraft produced in Poland has a characteristic protrusion at the front because it is equipped with the radial engine AI-14R (much too strong for this aircraft!), which worsened its aerodynamic qualities and was installed only because the standard engine was unavailable.

These are just a few selected examples.

The shortage of engines with rated power of 35-150 kW and actually at least WN-6B or some of its later versions has had negative consequences for Polish aircraft designs in the late 1950's and the early 1960's, with all the related effects for Polish aviation.

Until now, 12 types of aircraft engines have been produced serially in Poland. One hardly needs to comment on the fact that only two of them are of Polish design: the piston radial engine WN-3 by Wiktor Narkiewicz and the turbine engine SO-1.

And this is all we have after 40 postwar years. The remaining engines are based on licenses purchased from the country which is the main recipient of Polish aircraft equipment: the USSR. These licenses are also purchased for engines for planes originating from the USSR.

The prewar traditions of Polish aircraft designs are concerned mainly with light planes, and this is the direction in which work is continuing. (This is natural under existing conditions.) It is impossible, however, to develop aircraft designs without ensuring beforehand the availability of appropriate engines. However, it takes much longer (until actual implementation) to develop an engine than to create an aircraft design.

After the WN-6 was discontinued, no work was done in Poland to create a domestic design of this class. In the meantime, at WSK PZL-Mielec Enterprises, work is continuing on a two-engine sanitary transport PZL M-18 Mewa, and also on the training PZL M-26 Iskierka aircraft. In October of 1984,

the Warsaw Okecie Enterprises conducted the first trial flights of its training plane PZL-130 Orlik. All these units were designed to be equipped with six-cylinder standard engines PZL Franklin-6. This engine is produced by PZL WSK-Rzeszow Enterprises, which purchased the license 10 years ago but has not yet started mass production. It is no wonder that the prototype for the latest (maximally "Polonized") Mewa is standing by ready until the engine is available, and as we have written about a year ago, this is an aircraft urgently needed as a sanitary transport. Orlik met with the same fate as the Wilga: its designers were forced to adapt it to the radial-type engine M-14 (incidentally, there are no plans for mass production of this engine in the short term, either). It is not surprising that, among the great number of Polish-produced engines, with a broad gamut of piston, turbine, and turbojet engines manufactured in the thousands, it is precisely PZL Franklin-6 that tops the list by the amount of complaints and frustration it causes.

For the WSK PZL-Rzeszow Enterprises, this engine has always been a marginal product. The main place was occupied by activities involved in the aircraft production under license. So until today its production processes have not been elaborated, and one cannot speak of a large-scale serial production that would satisfy the users.

The problems of WSK PZL-Rzeszow Enterprises exemplify those of the entire Polish engine industry. There are labor shortages (frequent rotation); the research and development unit is small but there are no funds to increase it, and yet cooperation with other centers is weak (often in our aircraft industry, instead of cooperation, one observes rivalry and efforts to put down competitors). In brief, the two existing aircraft engine enterprises in Poland (Rzeszow and Kalisz) are incapable of meeting the demand of the rest of Polish aircraft enterprises which manufacture several types of helicopters and airplanes of various categories and classes.

In this situation, an encouraging development is the transfer of some of the production of aircraft engines from Rzeszow to a third enterprise--the Debica factory. Furthermore, here Franklin engines will be produced! Unfortunately, several more years will have to pass before a serial production of these engines will be put into effect at Debica. Some are talking about two years, but others believe this to be an overly optimistic estimate.

Let us assume, however, that at least after three years we can expect that to some extent the need of aircraft enterprises waiting for Franklin-6 engines will be satisfied. One such enterprise is WSK PZL-Okecie, where the Kolibra (PZL-110) aircraft is manufactured. A large number of orders have been placed by the Aviation Club of the Polish People's Republic for these planes, but when powered with weaker Franklin-4 engines, they do not meet all the needs of this user (for instance, carrying gliders). In order for the Club to absorb a sufficient number of Kolibra planes, they must be equipped with (nonexistent) serially produced Franklin-6 engines, and since aviation clubs must develop the training of pilots, they cannot

patiently wait for years for the more powerful Kolibra planes. So, despite sincere plans and patriotic motives, etc., the Club will be compelled to buy Czechoslovak Zlin planes.

Some say that history does not repeat itself. That is true unless it is being helped to do so. Then, it can repeat itself with double effect. These effects are inevitable and cannot be offset by anything. The existing plans of development of the production of aircraft engines in Poland give grounds for optimism, but optimism alone and mere plans are insufficient to build anything. In addition to fast and reasonable coordination of efforts, Polish aviation industry in its entirety needs a comprehensive development program that would include all aspects and branches in their interactions. Some hopes can be pinned on the promotion to the position of the minister at the head of the Office of Technological Progress and Implementation of Konrad Tott, DSc (Eng), former director of the Aviation Institute, well familiar with the problem. In fact, he has a firsthand acquaintance with it, because the Aviation Institute has been for some time now making efforts to get engine production off the ground. (Incidentally, isn't it regrettable and amazing that this is being done only now, although the problem has been growing for years?)

Maybe in the near future we will finally see that our aircraft industry will no longer be a house built with holes for windows and doors because no one has realized that they must first be made and then put into place.

9922

CSO: 2600/657

POLAND

ADMISSIONS STANDARDS IN HIGHER EDUCATION PRESENTED

Warsaw RZECZPOSPOLITA in Polish 10 Jan 85 pp 1, 5

/Statement by Minister of Higher Education Benon Miskiewicz taken by PAP
journalist Tadeusz Belerski/

/Text/ It has become a good tradition that in considering questions of great importance to society the government submits them to general consultation. This was the case as well with the revision of the new rules for acceptance for higher education. There has been talk of a need for changes for almost 15 years, when "temporary" rules for qualifications for schools were introduced. This system has been constantly improved, but it has also given rise to controversies and doubts. The head of the Ministry of Science, Higher Education and Technology has submitted the latest proposed changes in the system of acceptance to education to a broad social consultation. Minister Professor Benon Miskiewicz informed a PAP journalist about the results.

The problem of recruiting for higher education, he said, has been a subject of interest for the whole of society for many years. Almost every citizen of our country has a definite opinion on this subject. They are often very divergent, especially in regard to the privileges which certain candidates have hitherto had for the 1st year of studies. Some considered that they should be maintained, and even expanded, others wanted them eliminated.

In 1983 we had the first limited phase of the consultation. It involved primarily people connected with educational institutions. The results did not give us a sufficient basis for making a decision on new rules for recruitment. Some people claimed that we should keep various preferences, others thought that only the most capable should be accepted, without any preferences whatsoever. There was thus no possibility to determine what proportion of society favored which of the two solutions. Therefore throughout 1984 we conducted broader consultations on the rules for recruitment to higher education. Midway through this year the basic principles of the changes in the system of acceptance to higher education were published in the press. Several daily and weekly newspapers also printed a questionnaire which was aimed at gathering opinions in this area. Readers sent in between 10,000 and 20,000 answers. These problems were discussed at meetings at 66 large enterprises. A total of 2,500 answers to a specially-prepared sociological questionnaire were also received. Opinions were also presented by socialist youth unions, the National Council

of Science of the Polish Teachers' Union, the Head Council of Schools and Higher Education, various types of schools and many educational institutions. Many opinions were collected in writing and by telephone as well.

I would like to thank everyone for their broad participation in this discussion. Its results will be very important for us in getting an accurate, up-to-date revision of admissions requirements. I would also like to state that the material collected will not be put away and kept out of sight. We have gathered a group which will continue to analyze it in depth. The new admissions requirements for higher education issued now will become effective 1 year from now. Aside from that, they contain many points which arose as a result of the consultation.

As a result of the consultation we can already say that there is a single view shared by practically all that the most capable, best prepared people who will be able to meet the demands of higher education must be chosen. Another element which became apparent from the consultation and which has been applied in the provisions for selection, and which will become effective for the next academic year, is a systematic phasing out of various preferences which have hitherto been in force.

At the same time, however, the discussion indicated a general desire for an equal start for all applicants. I think that this is an essential part of our socialist system, it is enshrined in the Constitution, which gives everyone the right to education. True, higher education is not part of the citizen's basic education, but I think that in the future it will be necessary to ensure that the highest level in the national educational system, which higher educational institutions represent, should be equally accessible to all high-school graduates.

In the consultation a new element appeared, promising a reward for work before college-level study. It was also pointedly noted that the kind of work to be so rewarded should be directly or at least indirectly related to the students' major. The purpose of this is that a young person who acquires certain experience could use it appropriately from the beginning of his college studies. Therefore we will give preference to persons who have such work experience. We will also include in this experience honorably completed military service.

One principle of our present system of acceptance which has come directly from the consultation is a systematic departure from the bases of preference. I am thinking particularly of social preferences. We cannot, however, interpret this action as an immediate sweeping cancellation of all the previous preferences. Thus, we have kept them in certain fields, which are among the most fashionable and for which the number of applicants is very high. In view of the highly competitive nature of these fields, we think keeping additional points for worker and peasant youth is fully justified.

While we eliminate these preferential points, we must also compensate for them with other action. I consider this to include first of all remedial courses for worker and peasant young people. Also for young people who have lived in

the countryside or small towns, for those from childrens' institutions and for the disabled. We want to expand the system of remedial courses. This year we will already introduce three forms which should provide an equal start and prepared young people for entrance exams. We plan to expand cooperation between college and high-school teachers and increase the participation of educational personnel in conducting classes for young people from different types of schools. This will be supplemented by meetings organized by the college during free time. We attach particular importance to courses directly preceding the entrance exams, organized in June. We want to get a television academy of high-school graduates started as soon as possible. This would present through lectures an overview of the material oriented toward preparing for the exams. As these forms of assistance are expanded, we will be able to dispense with the various preferential points.

During the consultation our attention was drawn to the need to make it possible for the best workers to go to college, those who until now have not had such an opportunity. For this reason we are conducting for the first time a "zero" semester for people who have distinguished themselves in their work, who want to go to college, and who have been given authorization from their workplace. They will be able to prepare themselves for the exams in one semester. On completion of the "zero" semester they will be accepted into the 1st year of college.

As an experiment, we would like to try a form of recruitment for teaching and agricultural majors which would reaffirm the student's own choice. An applicant who passes the exam for these fields may be sent to work, and study for the 1st year by correspondence. Completion of the 1st year of studies and demonstration of aptitude and a desire to pursue a chosen major, and to work in such a profession, confirmed by a positive reference from the workplace, will determine whether the student may continue his studies in the 2nd year as a regular day student.

We would like a recruitment system permanently subordinated to the needs of society. At present, since we have a shortage of teachers in the countryside, we give preference to young people who live in the countryside or in small towns and who declare education as their major. The situation is similar with highly-qualified agricultural specialists. Our experience shows that these young people usually return to work in the places where they have lived.

Once again, let me emphasize that the decision I have made on new college entrance requirements will go into effect during the next recruitment for the academic year 1985-86. As the material gathered during the consultation is further analyzed, and as we acquire further experience, we shall make regular corrections to the system. I hope that in this way we will come closer to a solution which will satisfy society.

9970

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POLAND

INCREASED EFFORTS TO CURTAIL CRIME CITED

Warsaw TRYBUNA LUDU in Polish 7 Feb 85 p 3

[Interview with Lech Domieracki, minister of justice, by Izabella Czaplarska: "We Must Remember the Purpose of the Law"; date and place of interview not given]

[Text] [Question] What constitutes law and order? What is the relationship between social justice and law enforcement?

[Answer] My ministry is one of the guarantors of social justice, which in legal parlance is known as "law and order." We understand law and order to mean conformity not only to the letter, but also to the intent of the law. Laws are written in a manner which deals in generalities. The judge in administering justice interprets them. In doing so, he has to be certain of the law's intention. This, however, is not always evident in the judge's charge at sentencing. We often witness a formal treatment of the law's demands, which are in contrast with the spirit of the law.

Recently, sentences of the courts are more closely aligned with the basic intentions of laws. As we know, criminal laws are invoked to maintain law and order, national security and the welfare of the citizens. The judge, within limits of his discretionary powers, renders a sentence in keeping with the prescribed statutory options available. Recently, the choice more often accommodates the need for more encompassing protection of society. The court's response to increasing criminality is more than adequate to meet the challenge.

[Question] At the 17th Plenum much was said, often critically, about the penalties handed down by the courts to the perpetrators of crime, especially those that pose a threat to society.

[Answer] I am of the opinion that the prevailing trend in administering justice is a positive one. The same opinion was shared at the 17th Plenum with a realization that it ought to be expanded with added clarification. This positive motivation and its continuation can be credited to the support and efforts of the Committee for Law, Public Order and Social Discipline at the Council of Ministers. The uncovering of violations requires a decisive and coordinated effort of all agencies and institutions

involved, which should be summoned to contain them. This must be a solid front without any breaks or divisions.

Before the formation of the committee by the Council of Ministers, cooperation of this kind was lacking. The committee coordinated and redoubled activities at all points of the struggle against crime. Detection has improved, in part due to the cooperation of the militia with the regulatory agencies. Each activity is well organized, has a staff directing it and has information which is widely shared. The endeavors of the prosecuting offices are more effective and their services are faster. The effectiveness of court procedures is increasing, due in part to an increase in provisional arrests, which have an effect on the citizens' feeling of security. Courts process indictments faster, they have stepped up procedures and brought pertinence to their sentencing.

[Question] Isn't it too early to talk about reforms as if they were an accomplished fact? It has not been too long since the 17th Plenum called for these changes.

[Answer] I do not claim that we have attained our goals, but most certainly at the present time we are closer to them. In my estimation, in substance the 17th Plenum approved ways and means for the administration of justice, as well as various directives and proposals setting trends which are planned for the future. We have two sets of problems. The first is the question of efficiency. Our main concern was to have justice carried out more expeditiously. The second set of desired objectives concerning the essential nature of court decisions, to have them more responsive to the level of the detrimental affect on society. In both instances we find definite improvement.

[Question] The 17th Plenum's resolution mentions the necessity of "amending the law to make punishment for criminal acts which threaten the national and public interest more stringent." What is the justification for making these penalties more severe?

[Answer] The justification for this point of the resolution was contained in the concluding speech of Wojciech Jaruzelski. It can be presented in the following manner: if the violator considers the risk to be worthwhile, he takes the chance. Profitability is the motivating factor in crimes where property is involved. This has to be discouraged through the implementation of more exacting penalties in these cases. The selection of a suitable medium and range of penal measures is one of the effective means of curbing dishonesty and fraud in the economy. The severity of the punishment does not represent the crux of the matter, but the realization that justice has prevailed does. Actually fines have been increased. Until recently, judges, when assessing fines, used their own income level as a guideline for evaluating the degree of distress the amount of the fine would impose upon the defendant. Somehow they considered steep fines to be unrealistic. The committee of the Council of Ministers meanwhile found that the income level among people varied widely, so there was a need for a more comprehensive

formula for imposing fines as punishment. They are to be scaled higher for violations affecting the economy and for unlawful speculative practices so that these would have in reality a punitive value and not merely represent a token punishment in the name of justice.

Fines are now being administered to a wider degree. Jail sentences do not have to be the prevailing method of punishment. Depriving the violator of the gains of his crime in the form of a heavy fine are in many cases painfully effective. Certain individuals feel the severity of the punishment more keenly when, in addition to the financial setback, supplemental restrictions are imposed. These may take the form of deprivation of the right to engage in one's profession or hold a certain position coupled with a public announcement of their conviction. A successful tool in remedial education is a sentence ordering the violator to do philanthropic work benefiting the public.

[Question] How do we evaluate court sentences in cases considered to be the most threatening to the preservation of law and order?

[Answer] When judging last year's results in this matter, we found an improvement in the suitability of imposed sentences as compared with those of 1983. Augmenting the additional rudimentary penalties, courts now more often prescribe a restriction of freedom with an order to have the violator engage in programs to benefit the public. These innovations represent clear examples of attempts to individualize court procedures and sentencing methods. At the same time, we find an increase in the number of people sentenced to an unconditional loss of freedom which was brought on by an expansion of lawlessness together with more logical punitive actions in dealing with crimes against society.

[Question] Does the existing criminal code require updating?

[Answer] In my estimation the present law, in general, is quite adequate for the administration of justice. There are, however, certain areas of public life which require more safeguards, such as general health care, the standard of living, and a wide range of improvements in our national economy. These additional protective measures are absolutely necessary for this transitional period in view of the erosion of public discipline and the apparent breakdown of our national moral fiber. For these reasons the ministry has prepared an outline for a law which would provide a remedy for these shortcomings.

The proposed act anticipates further improvements which would lead to the initiation of a new speedier method for resolving misdemeanors through the power of court injunctions. In this manner we intend noticeably to speed up court proceedings in which violations relating to public health, living conditions and personal property are involved. These improvements would also facilitate the resolution of cases threatening the welfare of the state and public. Crimes endangering the lives and well-being of the public committed under the influence of liquor would also be handled

in this manner. Finally, we intend to apply a separate set of rules and treatment for the incorrigible repeater and for those whose transgressions are categorized in the penal code as felonies. Punishments for these violations carry a minimum sentence of 3 years.

[Question] Life in our country is returning to normal, although at a somewhat slow pace. Law and order as well as discipline also are showing improvement. Considering these facts, do you think that this is the proper time for an introduction of such--to say the least--unusual legal procedures?

[Answer] It is true that our lives are returning to a normal state and that our everyday living conditions are becoming more stable. Most people, however, are of the opinion that these changes are coming about too slowly. The proposed law would shorten the time required for the attainment of normalcy. We intend to have this law in force for only a predetermined limited period of time.

[Question] Is your ministry staff capable of dealing with these problems inasmuch as they entail new responsibilities and enforcement of the proposed statute for the courts?

[Answer] I believe so. I base my optimism on a series of realistic indicators. At the beginning of last year, the party organization of the Ministry of Justice issued a report showing the ratings of court sentences which emphasized the necessity for methodically updated informational seminars for judges on changes in the law.

Our judicial staff is relatively young and highly dedicated to the proposition of justice within society. Understandingly, a number of them are short on professional and practical experience, which is characteristic when we realize their limited involvement in social and political activities. Although slowly, some improvements in this area have occurred. The ministry has been significantly helped through the aid of its party organizations, which assist young people in getting involved in a number of sociopolitical projects. Some of these relate to work in community legal aid centers, welfare organizations, at workers councils and party cells. The class goals and responsibilities of administering justice demand personnel who are apprised of these purposes and duties, an awareness which is best acquired through extensive involvement in the sociopolitical area of the functions of the court.

12036

CSO: 2600/633

ROMANIA

'CREATIVE' APPROACH TO SOCIAL THEORY, PRACTICE HAILED

Bucharest ERA SOCIALISTA in Romanian No 2, 25 Jan 85 pp 19-21, 45

[Article by Dr. Ion Florea: "Revolutionary Theory and Social Research"]

[Text] A creative approach to and the promotion of a revolutionary spirit in social theory and practice are organical components of the political thinking and action of the RCP, and have been particularly since the ninth congress, when Comrade Nicolae Ceausescu came to the leadership of our party. The bold and original revolutionary thinking of our party secretary general, his political realism and farsightedness, and his dialectical, scientific, and many-faceted mode of analysis, free of any prejudice and dogmatic, absolute, or simplistic rigidity have left a decisive mark on the dynamic and rejuvenating course of socialist construction in Romania, and on our party's basic guidelines, positions, and actions on various areas of domestic and international political, economic, and ideological life.

Life, realities, and the great achievements attained by the Romanian people in their socioeconomic development and in building socialism, particularly in the past two decades, forcefully demonstrate the correctness of our party's general policy, which, firmly rooted in the revolutionary concept of dialectical and historical materialism, and in the progressive ideas of scientific socialism, has always proceeded from the need to understand and to creatively apply objective general truths and laws to the actual conditions prevailing in Romania. In this light, theoretical and ideological activities and social research are expected to continuously increase their contribution to providing the party and the people with a clear perspective, and to thoroughly explain major social changes, the objective directions of development, and the laws of social evolution, thus contributing to enriching the common heritage of revolutionary theory and practice. As Comrade Nicolae Ceausescu stated in his speech to the expanded plenum of the RCP Central Committee of June 1982, "The new stage of development of our society requires that we examine realities in depth and that we draw the due historical and practical conclusions for our future activities... Along this line, we must pay a far greater attention to theoretical and ideological activities and to the experience of building socialism, and resolutely promote what is new in every sector."

The original and diverse practical experience gained in building socialism in various countries, which has accelerated the rate of contemporary historical progress, the changes that have occurred and are occurring in the international arena, and the great complexity of international social and political life require a dialectical interpretation and analysis of development phenomena and trends, understanding of the creative and open character of revolutionary theory, and efforts to continuously develop it, in accordance with shifts in social reality and with the truly spectacular progress made in human knowledge.

The profoundly revolutionary character of the Marxist philosophical and political theory resides precisely in the fact that, being by definition the theory of the process of radical and profoundly rejuvenating changes in society, in keeping with the fundamental aspirations for emancipation of the workers class and of all working people, it is itself subject to dialectical change and to permanent enrichment through the confrontation with practice and through the theoretical generalization of new social changes and scientific discoveries. Thus, dialectical and historical materialism is totally opposed to any dogmatic immobility that sacrifices real needs for the sake of abstract theses that are not and cannot be of value per se, divorced from reality, but on the contrary, can be viable and effective only if they are permanently verified by historical evolution and movement.

Proceeding from the dialectical unity between social theory and practice, our party understands the materialist-dialectical revolutionary concept and scientific socialism as a continually evolving teaching. The science of the revolutionary changing of the world permanently reflects historical experience, new data, and the conclusions of social development and human progress, a fact which saves its principles from becoming ossified, and enhances its influence on the revolutionary process of building a new system.

In this spirit, the ninth party congress forcefully stimulated the development of Romanian theoretical thinking. The past two decades have been not merely the most dynamic and productive in the area of socioeconomic and cultural development and of perfecting the organization and leadership of society in the history of socialist Romania, but also the most fertile period from the viewpoint of a creative approach to the principles of the revolutionary concept and an innovative spirit in theoretical developments and clarifications, in devising original solutions to the many practical problems emerging, and in understanding in depth processes and phenomena of the contemporary world. As is known, during these years, the party secretary general, Comrade Nicolae Ceausescu, has made contributions of a great theoretical and practical value to the study and elucidation of the basic issues of building a new system in Romania, of international life, modern social development, building a better and more just world, and refreshing and enriching the revolutionary concept. His entire work bears witness to our party's active contribution to developing the revolutionary theory and to the scientific analysis of the realities prevailing in our country and in the world, constituting an embodiment of the creative application of Marxism-Leninism to Romanian conditions.

Through the historic documents adopted, and primarily the brilliant report presented by Comrade Nicolae Ceausescu, and through the theses of a great value and profound significance contained in that important program-document, the 13th RCP Congress has continued this creative attitude toward revolutionary theory and practice. The congress made valuable contributions to enriching social thinking and practice by scientifically examining the qualitatively new stage of socioeconomic development in Romania, and international phenomena and trends; extensively substantiating the strategic objectives of our party and people in implementing the program on building the comprehensively developed socialist society and Romania's progress toward communism; highlighting the implications of the new stage of the scientific-technical revolution with which the national economy and the Romanian society in general will conform

ever more closely in the coming years in order to attain the planned quality parameters; dialectically approaching the questions concerning the role and functions of our workers revolutionary state within the uniform organization and leadership of all socioeconomic activities on the basis of the single national plan; stressing the need to improve all socioeconomic planning and leadership activities; revealing the indissoluble link between more markedly enhancing the role of the state and continuously developing mass initiative within the framework of our system of workers revolutionary democracy; indicating new means of strengthening the leading role of the party in society; emphasizing the dialectical unity between socialist patriotism and international solidarity, between national and international factors, and between the domestic and foreign policy of our party and state; substantiating the thesis concerning the continuity of the revolutionary process and the need to increasingly assert a revolutionary, communist spirit.

Fully in accordance with the rich and valuable tradition created after the ninth congress, the party secretary general stressed at the great forum of the Romanian communists: "The changes occurring in our society and in the world require intensified educational and ideological endeavors to study and understand socioeconomic phenomena and the action of the laws of dialectics in the development of human society, and to provide scientific answers to the problems raised by life and by human evolution."

One of the significant expressions of the particular attention paid by our party to theoretical and ideological activities and of its permanent care to ensure that such activities are inspired by a revolutionary and creative spirit is the decision of the 13th congress that the party ideological program, adopted by the expanded plenum of the RCP Central Committee of June 1982 and endorsed by the national conference of December 1982, should become an integral part of the program of building the comprehensively developed socialist society and of Romania's advance toward communism, and should serve as the basis for all political-ideological and cultural-educational activities.

The consistent promotion of a revolutionary, creative spirit in the theory and practice of building a socialist society is an expression of the objective requirements of the development of the Romanian society in its unwavering advance toward communism. This requirement is determined by the fact that the revolutionary process has not ended, but continues at the new stage of many-sided progress of our country. "The revolutionary process," Comrade Nicolae Ceausescu stressed in his report to the 13th party congress, "will also continue in the communist society; it will practically never end."

In view of this continuity, theoretical thinking must clearly outline the new strategies of socioeconomic development and of perfecting the democratic organization and leadership of the society and the party's activities; study and establish appropriate forms of transition from the socialist to the communist principles of life and distribution; and must substantiate the specific values of a communist civilization. Naturally, the future stages of the constructive revolutionary process in which our people are engaged will not be free of difficulties and of certain contradictions; this fact makes it necessary to study the specific forms that will be acquired by the struggle between old and new, and to identify ways of promoting the new and the multifaceted progress of our country.

Along this line, it is particularly important to understand the fact that, as Comrade Nicolae Ceausescu pointed out in his report to the June 1982 expanded plenum of the RCP Central Committee, "The party is carrying out its theoretical, ideological, and political-educational activities amid a fierce struggle between the new concept and old situations."

Indeed, the struggle between the new and the old continues under socialism, too, as one of the laws of progress, although it naturally acquires other forms of manifestation and a different content, in view of the disappearance of antagonistic classes and of the moral-political unity and the unity of basic interests of the people as the propelling force of progress in our society. In the last analysis, this social reality is reflected in the process of development of the uniform outlook of the world and life of the working people, a process that should, of course, not be interpreted as the disappearance of all controversies and differences of views. "The assertion of a uniform concept," Comrade Nicolae Ceausescu stressed, "of necessity presupposes an ongoing struggle among various theses and ideas on the better organization of the production forces, social relations, and the life of the masses." Naturally, this struggle is based on the existence of unitary production relations, on the development of science and culture, and on human knowledge, which continuously open up new ways of perfecting socioeconomic life and relations, and the entire society.

The socialist society creates conditions for shaping a unitary theoretical and ideological concept; this, however, does not happen automatically, but involves a resolute struggle against old concepts and mentalities, and constitutes a long and complex process. On the other hand, the ideological confrontation between the forces of historical progress and retrograde, conservative forces—a confrontation that has escalated in the world in recent years—the intensification of antisocialist and anticommunist propaganda, and the activation of nationalist, chauvinist, and neofascist ideas in the contemporary world make new and more complex requirements of political-ideological activities. Along this line, the 13th congress emphasized the need to resolutely fight any form of nationalism, chauvinism, antisemitism, and other forms of humiliation, and stressed that such manifestations belong to the past, to the society divided into antagonistic classes, and to the concept of the exploiting classes, who always sought to divide and sow enmity among working people of various nationalities.

The 13th party congress decided, as an objective of all ideological activity, to develop socialist revolutionary patriotism and the people's responsibility for the cause of communism in their common fatherland, simultaneously with educating the people in the spirit of international solidarity, friendship and cooperation with the socialist countries, with the nations of the developing countries and of all the states in the world, and with progressive and anti-imperialist forces everywhere.

The congress decisions, which focus on the human factor, on socioeconomic progress for the individual and, at the same time, through the individual, on shaping man and ennobling him by means of the moral-political values of socialism and communism, and on fully asserting man as a creative and multifaceted entity, open up dynamizing prospects for political-educational, ideological, and theoretical activities firmly anchored in these profoundly humane and revolutionary values.

In the light of the decisions of the 13th congress and of the requirements outlined in the report presented at the congress by the party secretary general, Comrade Nicolae Ceausescu, social research is assigned important tasks and is expected to increase its contribution to accelerating the country's general progress along the path of building the comprehensively developed socialist society and Romania's advance toward communism. The economic and social-political sciences can and must directly contribute to modernizing the economy, achieving quality and intensiveness indexes in all the branches of material production, raising the technical and competitive level of products, improving the quality of life and work, and, at the same time, to further perfecting the political system and the system of production and social relations, developing a socialist and progressive consciousness, and facilitating personal fulfillment.

One of the areas of particular interest to the social sciences is that of research into the changes produced and occurring in Romanian society due to the rapid development of the production forces, the dynamic evolution of social-professional and class structure, continuous improvements in the new social and production relations and in the socialist system of production in general and in its various components—ownership and distribution relations, and forms of democratic organization and leadership; at the same time, special attention must be paid to the study and understanding of the action of the laws of historical progress at the new stage of socialist construction, and to the identification of means of implementing the communist principles of work, life, and distribution. As Comrade Nicolae Ceausescu stressed in his congress report, "Proceeding from a study of practice, experience, and life, ideological activities and social science research must illuminate the path for Romania's resolute advance toward the highest peaks of communism."

Rising to the requirements of the 13th congress, social-political research is enhancing its contribution to scientifically substantiating political decisions, to the communist education of the individual, and to enriching ideological life, and is more actively participating in the international exchange of ideas.

Fighting any idealized and triumphal view of socialism, the party secretary general continuously stresses the need for theoretical works dealing with the current stage of the Romanian society and its future development prospects, with the action of economic laws under socialism, the resolute and efficient implementation of the new economic-financial mechanism, and the consolidation of the system of workers revolutionary democracy. Greater attention must be given to examining the action of the laws of dialectics, especially that concerning the unity and confrontation of contradictory factors in socialist and communist societies, studying the specific contradictions of the new system and finding means of resolving them, and permanently rejuvenating the society and revolutionary thinking.

The party secretary general, Comrade Nicolae Ceausescu, forcefully stressed the fundamental truth that socialism and communism, in their specific form of implementation, are marked by distinct social and historical factors, national traditions, and by the way of life and thinking of each nation. Thus, the past, present, and future are fused in an original dialectics in the process of forging a country's new history. In accordance with this profoundly dialectical outlook, history sciences have an important role to play for understanding the characteristics and objective laws of social development, and on this

basis, for formulating conclusions and teachings for the present and for the future, and for the revolutionary and patriotic education of the working people.

One of the fundamental objectives of social research is to repulse and resolutely fight reactionary, anticommunist, and rightist concepts, and the neofascist and conservative trends and doctrines manifest in today's world. At the same time, it must convincingly demonstrate the superiority of socialism as the only viable alternative for mankind's future, based on a genuine democracy, freedom, equality, and equity, a society free of social and national exploitation and oppression and offering conditions for man's fulfillment.

The complexity and diversity of the modern world, and that of theoretical and philosophical thinking, show that the revolutionary theory evolves within theoretical dialogues of a progressive tendency and inspired by positive searches based on scientific objectivity. This requires a differentiated position on such theoretical concepts and directions. The Marxist ideology can actively and competently join discussions on the problems currently facing mankind only if it proceeds from investigations and analyses based on the materialist-dialectical and historical concept of social phenomena and of major contemporary issues. In point of fact, the viability of Marxist theoretical theses and conclusions is verified in the permanent confrontation with life, social practice, and with other philosophical and political concepts.

Dialogue and discussions on theoretical and practical aspects of the socialist revolution and construction and of contemporary developments are, moreover, a must for Marxist thinking. Naturally, such discussions can be effective only if they are held on the basis of democracy, equality, and mutual respect, and if care is taken to refrain from any tendency to monopolize the truth and to label other views as "deviations" from revolutionary theory.

Our party believes that the dialectical unity between general and particular in the socialist revolution and construction, the increasingly diverse approaches to social change, the particular complexity of mankind's current problems, and the new historic victories make it necessary to continuously enrich the Marxist theory, rejecting both unilateral and pragmatic dogmatism and relativism, and narrow theoretical perspectives. A pragmatic spirit leads to neglecting theoretical and ideological activities in building socialism, a fact that may generate spontaneous phenomena and disregard for the conscious aspects of the revolutionary process, which in turn can have very serious consequences. Such a practical-minded distortion is as harmful as divorcing social theory and practice. Our party rejects both deviations equally, and consistently highlights the close unity between theory and practice at all the stages of the revolutionary process, as well as in social science research, which is theoretically and practically incompatible with both positivistic empirism and with abstract speculation.

Thus, stating that our party bases all its activities on the revolutionary materialist-dialectical concept and on scientific socialism, Comrade Nicolae Ceausescu stressed at the 13th congress that ideological activities must promote the creative study of Marxist-Leninist philosophy, of the works of Marx, Engels, and Lenin, and other contemporary theoretical works. At the same time, such studies must be consistently combined with the careful investigation of

new internal and international realities, and with the analysis and theoretical generalization of the experience of building socialism.

History has verified many objective laws and theoretical theses that are still valid, and that must, of course, be further followed; however, it has also negated certain theses that no longer fit new and altered conditions, and that are now only of historical interest. Consequently, such theses must be renounced, proceeding from the specific-historical character of the truth, striving to keep alive a creative spirit of receptivity to what is new, and ensuring a permanent structural link between revolutionary theory and the fresh and revitalizing spring of life and social-historical practice. In his specific-historical analysis of the findings of social theory, Friedrich Engels called attention to the pronounced dynamic nature of its object and to the consequences produced by that for the theory itself: "Understanding is ...essentially relative, because it is limited to understanding the connections between and the consequences of certain social and political forms existing only at a given period and for a given nation, thus being transitory by definition. He who hunts here for definitive and generally immovable truths will not come back with much in his bag, aside from platitudes and trite statements of the worst kind..." In his turn, Marx believed that the ideas and categories characteristic of the social sciences are "as little eternal as the relations they express. They are ephemeral products of history."

Consistently promoting a creative attitude toward revolutionary theory and practice, our party and its secretary general, Comrade Nicolae Ceausescu, apply the same approach to the theses and statements of the party program themselves in their natural and historical evolution, stressing that they must not be allowed to become dogma, and that their depth and scope must be continuously expanded. In his introduction of the party program, Comrade Nicolae Ceausescu stated that the revolutionary changes that will take place in Romanian society and in international life will have to be permanently taken into account and that the relevant conclusions will have to be inferred from these changes for each stage of development. "We must not for a moment forget," the party secretary general stressed, "that the program provides only general guidelines; its conclusions and provisions are not dogma issued once and for all. We will have to continuously add to the program the new theoretical theses stemming from the revolutionary changing of the society."

The decisions of the 13th congress and the report presented by Comrade Nicolae Ceausescu at the great communist forum define and further expand our party's strategy for building the comprehensively developed socialist society and for Romania's advance toward communism; they reflect the new theoretical theses and views that have enriched this strategy, and that outline more precisely the implementation of mankind's golden dream in our country--the communist society.

The implementation of the provisions featured in the historic documents adopted by the congress will pave the way for a new stage of manysided progress in socialist Romania's development and for the increasingly forceful assertion of our country among the free nations of the world. The fact that the 13th congress has reelected Comrade Nicolae Ceausescu to the supreme position of secretary general of the party, in keeping with the wishes of the entire nation, guarantees the continuity of the process of revolutionary changes in Romanian society, and the fact that the creative spirit, open to renewal and to continuous improvements in the entire social life, will be further promoted with the same consistency.

4 April 1985

YUGOSLAVIA

BRIEFS

PRISTINA CRIME--According to Ljubomir Vuckovic, public prosecutor in Pristina Opstina, 89 persons were convicted of political crimes [in this opstina] in 1984; also, five hostile groups were discovered which acted from the position of Albanian nationalism and irredentism. Proceedings were also initiated against nine persons because of expressions of national hatred. In addition, over 2,000 persons were indicted for fraud in work organizations. [Text] [Pristina JEDINSTVO in Serbo-Croatian 18 Feb 85 p 9]

VETERANS AGAINST BLAZEVIC--Members of the Presidium of the Croatian Republic SUBNOR (Federation of National Liberation War Veterans Associations) have separated themselves from the ever more frequent public statements of Jakov Blazevic, especially the interview recently published in POLET where some events from the history of the National Liberation War and the LCY and the role of outstanding revolutionaries were assessed in an arbitrary and biased fashion; they separated themselves also from his insinuations pertaining to workers of the Internal Affairs Service. Acknowledging his outstanding services and contribution to our revolutionary movement, the SUBNOR Presidium believes that even Jakov Blazevic...cannot usurp the right to make public a subjective evaluation and assessment of established historical facts, events, or contributions of each participant in the National Liberation War; rather, such an evaluation must be based exclusively on authentic documents and objective witness. Any other approach, regardless of the source, is damaging and unacceptable, because it creates confusion among both veterans and the general public. [Excerpt] [Belgrade BORBA in Serbo-Croatian 1 Mar 85 p 4]

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